

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. LAMPERT: Committee on the District of Columbia. H. R. 2525. A bill for the relief of Jennie Bruce Gallahan; without amendment (Rept. No. 1398). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11564. A bill to reimburse William Whitright for expenses incurred as an authorized delegate of the Fort Peck Indians; with amendment (Rept. No. 1399). Referred to the Committee of the Whole House.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11565. A bill to reimburse Charles Thompson for expenses incurred as an authorized delegate of the Fort Peck Indians; with amendment (Rept. No. 1400). Referred to the Committee of the Whole House.

Mr. HOWARD: Committee on Indian Affairs. H. R. 11675. A bill to authorize the issuance of a patent in fee for certain land and buildings within the Colville Reservation, Wash., for public-school use; with amendment (Rept. No. 1401). Referred to the Committee of the Whole House.

Mr. CABLE: Committee on Coinage, Weights, and Measures. H. J. Res. 327. A joint resolution authorizing the presentation of medals to the officers and men of the Byrd antarctic expedition; with amendment (Rept. No. 1402). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 5738) to extend certain benefits to Robert Smith Watson and William La Velle Watson; Committee on World War Veterans' Legislation discharged, and referred to the Committee on War Claims.

A bill (H. R. 9852) for the relief of Charles Flanagan; Committee on World War Veterans' Legislation discharged, and referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HAMMER: A bill (H. R. 12261) to aid the several States and Territories and the District of Columbia in combating illiteracy, and for other purposes; to the Committee on Education.

By Mr. O'CONNOR of Oklahoma: A bill (H. R. 12262) to homestead and conserve surplus or flood waters of the Mississippi and other navigable rivers; to regulate the flow and develop navigability, regulate commerce, and protect the posts, and military movements within the United States; and making appropriation therefor, and for other purposes; to the Committee on Flood Control.

By Mr. WURZBACH: A bill (H. R. 12263) to authorize the acquisition of 1,000 acres of land, more or less, for aerial bombing range purposes at Kelly Field, Tex., and in settlement of certain damage claims; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 12264) granting a pension to Lottie McKelvey; to the Committee on Invalid Pensions.

By Mr. BOWMAN: A bill (H. R. 12265) granting an increase of pension to Matilda Jane Turner; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 12266) granting an increase of pension to Florence H. Godfrey; to the Committee on Pensions.

Also, a bill (H. R. 12267) granting a pension to Frank N. Curtis; to the Committee on Pensions.

By Mr. DOMINICK: A bill (H. R. 12268) for the relief of Robert Hayne Buford; to the Committee on the Civil Service.

By Mr. DUNBAR: A bill (H. R. 12269) granting an increase of pension to Sarah B. Yeates; to the Committee on Invalid Pensions.

By Mr. ESTERLY: A bill (H. R. 12270) granting an increase of pension to Fianna G. Wickel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12271) granting an increase of pension to Annie M. Spielman; to the Committee on Invalid Pensions.

By Mrs. LANGLEY: A bill (H. R. 12272) granting an increase of pension to Roscoe C. Trusty; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 12273) granting a pension to Jennie B. Kemper; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12274) for the relief of Emma A. Pharis; to the Committee on Military Affairs.

By Mr. MANLOVE: A bill (H. R. 12275) granting a pension to Caroline Hall; to the Committee on Invalid Pensions.

By Mr. PRITCHARD: A bill (H. R. 12276) to commission Albert Malcomb McWhirter first lieutenant, and for other benefits; to the Committee on Military Affairs.

By Mr. QUAYLE: A bill (H. R. 12277) granting a pension to Annie J. Gonzalez; to the Committee on Pensions.

By Mr. RAGON: A bill (H. R. 12278) for the relief of Mabel Williams; to the Committee on Claims.

By Mr. STALKER: A bill (H. R. 12279) granting an increase of pension to Ellen Scott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12280) granting an increase of pension to Angeline Andrews; to the Committee on Invalid Pensions.

By Mr. WELCH of California: A bill (H. R. 12281) granting a pension to August Bemmerer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7235. By Mr. COLTON: Petition signed by a number of citizens and members of the Drug Store Association of Utah County, Utah, urging the passage of the Kelly-Capper fair trade bill, H. R. 11; to the Committee on Interstate and Foreign Commerce.

7236. By Mr. CRAIL: Petition of many citizens of California, favoring the passage of the Crail bill, H. R. 8371, to assist any person holding an honorable discharge from the military forces of the United States during any war with a loan to build a home or buy a farm; to the Committee on Ways and Means.

7237. By Mr. TILSON: Resolution adopted by the board of aldermen of the city of New Haven, Conn., favoring a popular referendum on the eighteenth amendment to the Constitution; to the Committee on the Judiciary.

7238. By Mr. WOLVERTON of West Virginia: Petition of the National Alliance of Postal Employees, by the chairman, Joseph B. Arleens, of Pittsburgh, Pa., urging early and favorable action on House bills 2402 and 3887; to the Committee on the Post Office and Post Roads.

7239. Also, petition of W. D. Tyre and other postal employees with headquarters in Elkins, W. Va., urging Congress to take favorable action on the Kendall 44-hour-week bill; to the Committee on the Post Office and Post Roads.

SENATE

FRIDAY, May 9, 1930

(Legislative day of Thursday, May 8, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDING OFFICER (Mr. JONES in the chair). The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed a bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes, in which it requested the concurrence of the Senate.

DUTY-FREE CEMENT FOR PUBLIC PURPOSES

Mr. BLEASE. Mr. President, on May 1 a Congressman, speaking on the floor of the House in reference to the amendment in the tariff bill relating to cement, said, as reported on page 8158 of the CONGRESSIONAL RECORD:

In any event, in order to enforce this amendment if it were enacted into law, it would be necessary to build up an additional Federal policing bureau for the purpose of determining whether cement earmarked for State, county, or city use goes ultimately into that State, county, or city use for which it has been imported free of duty.

On May 3 I addressed a communication to the Hon. F. X. A. Eble, Commissioner of the Bureau of Customs in the Treasury Department, in reference to that statement, and have his reply dated May 8. I also have a letter from L. P. E. Giffroy, national councillor of the Chamber of Commerce of the United States, dated New Orleans, La., May 8, 1930, inclosing a letter from the general sales manager of the Coplay Cement Manu-

facturing Co. I ask that my letter to Mr. Eble and his reply thereto may be read at the desk by the clerk.

Mr. McNARY. Mr. President, will the Senator withhold his request until I suggest the absence of a quorum?

Mr. BLEASE. Mr. President, if the Senator intends to do that for the purpose of bringing Senators into the Chamber to listen to the reading of the letters, it is not necessary because they can read them in the RECORD later. However, if he prefers to call a quorum now, of course, I have no objection, and I yield for that purpose.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Deneen	Keyes	Shipstead
Ashurst	Dill	La Follette	Shortridge
Baird	Frazier	McKellar	Simmons
Barkley	Glass	McMaster	Smoot
Bingham	Glenn	McNary	Steiwer
Black	Gould	Metcalf	Stephens
Blaine	Greene	Norris	Sullivan
Bleuse	Hale	Oddie	Swanson
Borah	Harris	Overman	Thomas, Idaho
Bratton	Harrison	Patterson	Trammell
Brock	Hatfield	Phipps	Vandenberg
Broussard	Hawes	Pine	Wagner
Capper	Hayden	Ransdell	Walcott
Caraway	Howell	Reed	Walsh, Mass.
Connally	Johnson	Robinson, Ark.	Waterman
Couzens	Jones	Robinson, Ind.	Watson
Cutting	Kean	Schall	Wheeler
Dale	Kendrick	Sheppard	

Mr. METCALF. My colleague the junior Senator from Rhode Island [Mr. HEBERT] is necessarily absent from the Chamber because of the death of his sister.

Mr. FRAZIER. My colleague [Mr. NYE] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.

Mr. BLACK. I desire to announce that my colleague the senior Senator from Alabama [Mr. HEFLIN] is necessarily detained in his home State on matters of public importance.

Mr. McMASTER. I desire to announce that my colleague [Mr. NORBECK] is necessarily absent. I ask that this announcement may stand for the day.

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, a quorum is present. Is there objection to the request of the Senator from South Carolina to have read certain communications which he has sent to the desk? The Chair hears none, and the clerk will read.

The legislative clerk read as follows:

WASHINGTON, D. C., May 3, 1930.

Hon. F. X. A. EBLE,
Commissioner Bureau of Customs,
Treasury Department, Washington, D. C.

DEAR MR. COMMISSIONER: I would like to invite your attention to the following Senate amendment to the pending tariff bill H. R. 2667:

FREE LIST

"PAR. 1642 (amendment 893). Cement or cement clinker: Roman, Portland, and other hydraulic, imported by or for the use of, or for sale to, a State, county, parish, city, town, municipality, or political subdivision of Government thereof, for public purposes."

The amendment was not agreed to as to substance in conference and came up for a separate vote in the House of Representatives on May 1, 1930 (for debate and vote, see pages 8150 to 8166 CONGRESSIONAL RECORD that date), and was rejected.

I would like for you to advise me what effect, in your opinion, would the adoption of this amendment have on the administration of the tariff; that is, would its execution likely entail any substantial increase in expense or inconvenience for the collectors of customs or not?

Thanking you for your courteous and early attention to this request, I am,

Very respectfully,

COLE. L. BLEASE.

—
TREASURY DEPARTMENT,
BUREAU OF CUSTOMS,
Washington, May 8, 1930.

Hon. COLE. L. BLEASE,
United States Senate.

MY DEAR SENATOR: I am in receipt of your letter of May 3, 1930, in which you inquire what effect the adoption of the amendment, paragraph 1642, to the tariff bill pending in Congress would have in the administration of the tariff, and whether it would require a substantial increase in expense for collectors of customs to administer.

In reply I have to advise you that I do not believe that the administration of the amendment would present any special difficulty, nor would it substantially increase the work of the collectors of customs.

I wish, however, to take this opportunity to suggest that the words "or for sale to" would probably result in litigation. On the one hand, the courts might hold that only cement which has been imported pursuant to sale would be free of duty, or they might hold that an importer might import cement prior to an order therefor, place the cement in a bonded warehouse and withdraw it for sale as the opportunity offered, and have the duty remitted on the cement so withdrawn. For the reasons stated I believe that it would be advisable that there be substituted for the words "imported by or for the use of or for sale to," in lines 4 and 5, page 266 of the bill, the words "imported for the use and by order of."

Very truly yours,

F. X. A. EBLE,
Commissioner of Customs.

Mr. BLEASE. I ask that the other communications to which I have referred may be printed in the RECORD without reading.

The PRESIDING OFFICER. Without objection, leave is granted.

The letters are as follows:

NEW ORLEANS, LA., May 8, 1930.

Hon. COLEMAN LIVINGSTON BLEASE,
Senator for South Carolina, United States Senate,
Washington, D. C.

MY DEAR SENATOR: In view of your magnificent fight to protect the taxpayers of the United States, and those of your State in particular, against the monopolistic greediness of the Cement Trust, permit me to send you herewith two photostatic copies of a letter written by a Pennsylvania company to a prospective dealer in Porto Rico.

I want to point out to you that in years past my mills have furnished an immense amount of cement to the great satisfaction of your highway commissioners, not only for price but, also last but not least, for quality.

Just now I am cooperating with our Charleston dealers to continue doing so, although the point of impossibility will be reached if ever the prospective duty were to become legalized.

May I kindly call your attention to the second paragraph of the inclosed copy of letter which, beyond the question of a doubt, proves that mills located at Coplay and Saylor, Pa., can pay railroad freight to the seaboard and then ocean freight to Porto Rico and still offer cement at 25 cents a barrel cheaper than in the home market!

This goes at par with the statement I made recently to some of our Louisiana Congressmen, and which can easily be verified, that mills in Dallas and New Orleans had shipped a little over a year ago a great quantity of cement to Brazil with higher freight rates from New Orleans than those paid from Antwerp to Brazil, showing conclusively that they could compete in foreign countries with Belgian cement under such adverse conditions, while claiming that they could not compete in the home markets where the Belgians had to pay 60 cents per barrel ocean freight to Gulf ports.

Their claim is so glaringly indefensible that it would be an injury to the common sense of an unbiased judge.

I am at your disposal for any further copies of the inclosures if you so express the desire.

Meanwhile I wish to remain, very sincerely yours,

L. P. E. GIFFROY.

[Inclosure]

NEW YORK, March 25, 1930.

Mr. J. M. DE PORRATA DORIA,
Post Office Box 1363, San Juan, P. R.

DEAR SIR: We are in receipt of your letter of the 20th instant, and note you say that whenever we are in position to revise our prices you will take action toward getting a start with some substantial orders.

Frankly, the prospect does not seem very bright. We have already made a special price for Porto Rican business which is 25 cents per barrel less than the price which we are obtaining in our home territory, and we feel that this is as much as we can absorb; and, as you are apparently unable to do business on the present basis, we think we had better call the deal off, and you will please consider this notice to that effect.

Yours very truly,

COPLAY CEMENT MANUFACTURING CO.,
J. F. TWAMLEY,
General Sales Manager.

PETITIONS

Mr. CAPPER presented telegrams in the nature of petitions from Harry Easter Camp, No. 16, of Emporia; Alfred Sater Camp, No. 35, of Chanute; Lawton Camp, of Wichita; Captain D. S. Elliott Post, of Coffeyville; Peter H. Dix Camp, No. 27, of Junction City; and A. V. R. Camp, No. 34, of Paola, all of the United Spanish War Veterans, and the Veterans Council, of

Wichita, all in the State of Kansas, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

REPORTS OF COMMITTEES

Mr. HALE, from the Committee on Naval Affairs, to which was referred the bill (H. R. 7933) to provide for an assistant to the Chief of Naval Operations, reported it without amendment and submitted a report (No. 636) thereon.

Mr. HAYDEN, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 3054) to increase the salaries of certain postmasters of the first class, reported it without amendment and submitted a report (No. 637) thereon.

Mr. DALE, from the Committee on Commerce, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 3638. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va. (Rept. No. 638);

S. 3754. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va. (Rept. No. 639);

H. R. 9850. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near New Martinsville, W. Va. (Rept. No. 640);

H. R. 10248. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Moundsville, W. Va. (Rept. No. 641); and

H. R. 10651. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va. (Rept. No. 642);

Mr. METCALF, from the Committee on Education and Labor, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4030. A bill to provide books for the adult blind (Rept. No. 643); and

H. R. 7390. An act to authorize the appointment of an Assistant Commissioner of Education in the Department of the Interior (Rept. No. 644).

THIRTEENTH ANNUAL REPORT OF FEDERAL FARM LOAN BOARD

Mr. SHIPSTEAD, from the Committee on Printing, to which was referred Senate Resolution 257 (submitted by Mr. McNARY on the 5th instant), reported it favorably without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That 3,000 additional copies of House Document No. 212, Seventy-first Congress, second session, entitled "Thirteenth Annual Report of the Federal Farm Loan Board for the Year Ended December 31, 1929," be printed for the use of the Senate document room.

REPORTS OF NOMINATIONS

As in executive session,

Mr. JOHNSON, from the Committee on Commerce, reported the nominations of sundry officers in the Coast Guard, which were placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

A bill (S. 4417) for the relief of certain Tennessee landowners along the Tennessee River (with accompanying papers); to the Committee on Claims.

By Mr. HAWES:

A bill (S. 4418) granting an increase of pension to Margaret Beckwith Delano (with accompanying papers); to the Committee on Pensions.

By Mr. GLENN:

A bill (S. 4419) for the relief of J. W. Nelson; to the Committee on Claims.

By Mr. TRAMMELL:

A bill (S. 4420) providing for a fund for reimbursement to growers suffering loss of crops from the Mediterranean fruit fly and the campaign for the extermination thereof; to the Committee on Agriculture and Forestry.

By Mr. CAPPER:

A bill (S. 4421) granting an increase of pension to Julia Ann Rohrbach (with accompanying papers); to the Committee on Pensions.

By Mr. GLASS:

A joint resolution (S. J. Res. 175) authorizing the presentation of medals to the officers and men of the Byrd Antarctic expedition; to the Committee on Naval Affairs.

HOUSE BILL REFERRED

The bill (H. R. 11965) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1931, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

RECOMMITTAL OF A BILL

On motion of Mr. PHIPPS, the bill (S. 3276) to enable the postmaster to designate employees to act for him, including the signing of checks in his name, was taken from the calendar and recommitted to the Committee on Post Offices and Post Roads.

PILGRIMAGE OF GOLD-STAR MOTHERS

Mr. BAIRD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the act of March 2, 1929, entitled 'An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries,' be, and is hereby, amended to authorize the Secretary of War to arrange for pilgrimages to cemeteries in Europe by mothers and widows of those members of the military or naval forces of the United States who died in the military or naval service at any time between April 5, 1917, and July 1, 1921, wherein death and burial of the member occurred at sea or wherein the death of the member occurred at sea or overseas but whose place of interment is unknown, or who is interred in any identified grave in Europe, the same as is provided in the case of mothers and widows of members of said forces whose remains are now interred in identified graves in cemeteries in Europe, at the expense of the United States and under the conditions set forth in section 2 of said act."

And the Senate agree to the same.

DAVID BAIRD, JR.,

PATRICK SULLIVAN,

MORRIS SHEPPARD,

Managers on the part of the Senate.

HARRY C. RANSLEY,

HARRY M. WURZBACH,

PERCY E. QUIN,

Managers on the part of the House.

The report was agreed to.

CONSTRUCTION OF PUBLIC WORKS FOR THE NAVY

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 549) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows:

Page 1, after line 5 of the House engrossed amendment, insert the following:

"Naval station, San Diego, Calif.: One small floating dry dock, \$425,000."

Page 9, lines 18 to 24, inclusive, and page 10, lines 1 to 5, inclusive, of the House engrossed amendment, strike out:

"Sec. 10. That the Secretary of the Navy be, and he hereby is, authorized to lease for periods not exceeding 10 years, and revocable on 6 months' notice, the floating dry dock and waterfront accessories at the naval station, New Orleans (Algiers), La., and to credit to the rental the reasonable cost of such repairs to said property as the lessee may be required to make

to prevent physical deterioration. All remaining money received from any such lease shall be covered into the Treasury as miscellaneous receipts. Such leases shall be reported to Congress: *Provided*, That said floating dry dock and accessories shall not be removed from the vicinity of New Orleans."

And insert in lieu thereof the following:

"SEC. 10. That the Secretary of the Navy be, and he hereby is, authorized to lease for periods not exceeding 10 years, and revocable on 6 months' notice, or at his discretion in case of national emergency declared by the President, the floating dry dock and water-front accessories at the naval station, New Orleans (Algiers), La., to the highest bidder at a rental that will not permit operation of the dock on other than a fair competitive basis with other local shipbuilding and ship-repair plants operating dry docks, and the money received from the said rental shall be covered into the Treasury as miscellaneous receipts. Such leases shall be reported to Congress: *Provided*, That said floating dry dock and accessories shall not be removed from the vicinity of New Orleans."

FREDERICK HALE,
TASKER L. ODDIE,
SAMUEL M. SHORTRIDGE,
CLAUDE A. SWANSON,
PARK TRAMMELL,

Managers on the part of the Senate.

ROY O. WOODRUFF,
GEORGE P. DARROW,
CARL VINSON,

Managers on the part of the House.

The report was agreed to.

ADDRESSES BY HON. LOUIS LUDLOW AND THE GERMAN AMBASSADOR
ON PEACE AND INTERNATIONAL RELATIONS

Mr. DILL. Mr. President, on the night of May 2 last Herr Friedrich Wilhelm von Prittwitz und Gaffron, the German ambassador, delivered a notable address on peace and international relations at a banquet given in his honor at Indianapolis, Ind., by the Indianapolis Association of Credit Men, an organization which comprises in its membership a great many of the outstanding business men of Indiana. The Indianapolis Maennerchor, a famous body of musicians, sang German songs, and the State and city governments were represented by official spokesmen.

Hon. LOUIS LUDLOW, Representative in Congress from the Indianapolis district, made the address of welcome introducing the ambassador. I ask unanimous consent to have printed in the RECORD the remarks of Mr. Ludlow and the German ambassador on this occasion.

There being no objection, the addresses were ordered to be printed in the RECORD, as follows:

ADDRESS BY HON. LOUIS LUDLOW

It is our privilege to have with us to-night one of the world's great diplomats, who is making his first visit to the Hoosierland. Lest perchance the word "Hoosier" may have mystified and obfuscated him, I ask him now to scrutinize this assemblage closely from his coign of vantage and I am certain he will not find very much hayseed in our hair. I make bold to assert that whatever roughness we may have inherited from our pioneer ancestors has become coated with a pretty sleek veneer, and we not only invite but we court critical inspection.

I wish the ambassador could stay with us longer. A visit of less than 24 hours is wholly insufficient to acquaint him with our likeable qualities. As he will leave early to-morrow morning and will not have time to check up on what I am now going to say, I will assure him that if he would inspect our water front he would almost imagine himself on the busy wharves of Hamburg or Bremen, and if he could only view the towering palisades of Brown County which flank Bean Blossom Creek he would be reminded of the beautiful Rhine, which flows in majesty through his fatherland. And now that I have told that one, I will let my pride for the land of my nativity run clear away with me and will say that if he were to tarry a while in the Hoosier land he no doubt would find some Hoosiers who rival, if they do not surpass, in a certain line of achievement his gifted countryman, Baron Munchausen.

Our distinguished guest is not only a great diplomat, but he is one of the best fellows in the world. I was talking the other day with an official of the State Department who formerly served as United States consul at Hamburg, where he came within the charmed circle of the worshippers of Doctor von Prittwitz, and, mirabile dictu, he also fell under the mesmeric spell and became the most ardent worshiper of them all! In a burst of admiration he said to me, speaking of the German ambassador:

"He's so darn good he's good enough to be an American."

And that expresses the general opinion of Doctor von Prittwitz held by Americans resident in Germany. His unflinching good nature, his radiant sociability, his keen sense of humor, his sincere and un-

affected democracy combine to make him a most engaging personality. Shakespeare, with only a little alteration, could be made to fit him exactly:

"His life is gentle and the elements
Are so mixed in him that nature might stand up
And say to all the world, Here is a man!"

Springing from the Silesian nobility, educated with German thoroughness at the great university of the city of Bonn, where Beethoven was born, a career diplomat by chosen profession, his meteoric rise is attested by the fact that at 45 he is the youngest ambassador in Washington, if not in the world. The adage that "a prophet is not without honor save in his own country" does not apply to him. He is as popular at home as he is abroad and enjoys in fullest measure the friendship, companionship, and confidence of his chief, President von Hindenburg.

Although he had been a considerable figure in the old régime, he was one of the first statesmen to hail the nascent Germany that emerged in the throes of the revolution of 1918. While lesser souls were in confusion, his farseeing mind enabled him to grasp the pregnant meaning of the times. The equality of men in rights and burdens, exact justice to all, a government by all the people and functioning for all the people without favoritism was the glorious apotheosis that revealed itself to him in those troubled times. He foresaw his beloved Germany a self-governing nation with class distinctions wiped out and every citizen the equal before the law of every other citizen, and the vision made his heart rejoice. He applied himself to the task of helping to make the vision real, and in those perilous and formative days no one worked more zealously or patriotically to usher in the new German Republic.

As the ambassador of that Republic which he toiled so nobly to create he comes to us to bind still tighter the ties of ancient friendship. He has a passion for peace, this leader of men, and to-night, here in the heart of America, he will speak in furtherance of his program to bring about a better understanding between America and Germany, which is always on his mind and on his heart.

He will find it easy to awaken a response. We have not forgotten the American Revolution and what the Germans did for us in that conflict. We remember De Kalb and Steuben. We can even yet visualize Peter Muhlenberg when on concluding his last sermon he threw off the sable robe of his clerical office and stepped forth as if by magic in the uniform of a colonel of the Continental Army, bidding his soldiers of the cross to follow him in fighting for human liberty. We have not forgotten the Germans who fought on the side of Abraham Lincoln that government of the people, for the people, and by the people should not perish from the earth. We remember Sigel, whose uprising in Missouri saved that State to the Union. We remember Carl Schurz, whose trenchant voice and pen aroused the country's conscience as nothing else had done in the great political agitation for the Union; and we recall that Thomas Nast, the father of cartoonists, whom Lincoln called "our best recruiting sergeant" because his cartoons did so much to win the war and to hold the Union indissoluble, was a native of Landau in Bavaria. We remember that 16.3 per cent of the American people, as shown by census reports, are of Germanic blood. We know that we have already shown our faith in the newborn Germany by sending more than \$2,000,000,000 to be invested in all sorts of enterprises there during the last 10 years, thus testifying to our confidence in German genius and stability of character. We know that the German people are very much like our own people, home-building and home-loving, and devoted to the simple virtues.

And so, Mr. Ambassador, though your home is 4,000 miles away, you must permit us to say that we feel toward you as if you were one of us. We hail you as the evangel of the new diplomacy which is founded on mutual faith and understanding. We hope you will catch and treasure from this happy occasion some of the friendship we bear you. When you report to your people about this meeting we want you to tell them that here in Indiana, in this most typical of American States, we received with willing hearts and encircling arms their great protagonist of peace. Tell them that we join with them in banishing forever all doubt and distrust and misunderstanding into the darkness of the night. Tell them that we love them. Tell them how glad we are to have their ambassador with us not only because we esteem him for his own worth but because he comes to us as the representative of the great sister Republic across the sea.

I now have the honor to introduce Herr Friedrich Wilhelm von Prittwitz und Gaffron, the German ambassador.

ADDRESS BY THE GERMAN AMBASSADOR

In responding to the welcome extended to him, Ambassador von Prittwitz said:

"Germany is grateful to the United States for many things, but especially the attitude the people of the United States have taken after the war. More than one hand has been stretched across the sea to make us feel that there is room for reconciliation."

He spoke of the Dawes plan as being the first "businesslike and practical way" devised by the council of nations for settlement of the reparations question, and paid high compliments to the statesmen and finan-

clers who followed up the Dawes plan with the Young plan, "another credit to the United States."

"The question now before us is how the future is going to develop. We must look forward to a basis on which the relations between the two countries may be solidly established. As I see it, they are threefold: The human ties, the common interests, and the common ideals."

"Germany is proud of her children who came across the sea and helped build this great Republic. The ties of blood can not and will not be forgotten. These human ties after the war have been revived. Tourists, students, and business men have come in throngs to our country each year."

"These human ties form a sentimental basis of relationship between the two nations. But the common material interests count as much as the sentimental. To the advancement of these we have seen many conferences and meetings such as the International Chamber of Commerce. Much as the growth and natural development of national vitality and resources depends on cooperation, the growth in vitality and resources of all the countries of the world must depend on cooperation and understanding between nations."

"If in coming generations this earth is to be made a more stable place to live in, the coming of such an era will depend almost entirely on the conscious cooperation of men throughout the world."

"A survey of the trade relations between the United States and Germany," the ambassador said, "shows that to-day, so shortly after the war, Germany has taken third place as the world market for American exports, and that German imports to the United States have grown tremendously. Though America was Germany's second largest market for exports before the war, to-day it has climbed back to fourth largest market. Extension of credit on long and short terms to German industries by American financiers," the ambassador said, "has been the greatest help to the economic reconstruction and development of the new Republic."

"Ideals of Germany," he said, "regarding government have been very much like the ideals of the American people, even back to the time of George Washington. Seventeen years after Washington was President of the United States," he related, "the old German Empire broke down, and histories of the corresponding periods in each country will reveal patriots using almost the same words in their fight for freedom. A democratic constitution was adopted by the German people in 1849, and the world extended congratulations."

"The ideals of 1849 and of America are the ideals of the German Republic of to-day," Ambassador von Prittwitz asserted. "We have our struggles. There is no government without struggle, but they represent the superficial aspect. Those who look closely must admit there have been enormous steps forward. Our people have sacrificed everything to establish unity and freedom. We have gone back to the ideals of free government expressed in 1849. Our ideal is our foreign policy. For 12 years the German Republic has had for its foreign policy cooperation, maintenance of peace, and development of peace. In this field the United States and the German Republic, without exception, have been found to be side by side. The American foreign policy has been for peace of national free will and not of the character of peace based on pacts of security."

"The American people are well aware of the truth that international intercourse is the best way toward international friendship. The fact that after the World War the relations between Germany and the United States were in a comparatively short period of time established on a new and solid basis is to be ascribed to a great extent thereto."

Herr von Prittwitz pointed out that the decision of the United States to return the seized German property to the former owners was a further and most important step in the direction of peaceful relationships.

In forecasting future relations between the two nations, Herr von Prittwitz said that he was firmly convinced that treaties and agreements alone are not sufficient to promote understanding and friendship between two nations. "Such a friendship," he said, "must be based also on humanities, common interests, and common ideals."

"Since in former centuries the world suffered because of economic rivalry between continents and nations, the main danger for the safety of the world to-day lies in the possibility that such rivalry might survive and, just as competition in armaments, foment distrust and misunderstanding. Every endeavor, therefore, to replace such rivalry by means of cooperation and mutual help must be welcomed."

"If rationalization has become a national slogan, I do not see any reason why it could not be also a guiding principle in international economic relations. Happily, important groups of industries in America and Germany seem to have realized such a necessity and have joined hands to work together not only for their own benefit but also for the benefit of the often-neglected consumer."

"Such a development of international economic cooperation is in accordance with the views expressed at the world economic conference in Geneva in 1927, in which the United States participated; at the last Pan American commercial conference, and especially at the several con-

gresses of the International Chamber of Commerce. This development has been furthered by the conference of experts who worked out the Young plan."

Herr von Prittwitz pointed out that a valuable link in international economic cooperation is now being formed through the Bank for International Settlements which will establish a constant contact between the central banks of the world and which will help create a cooperation essential to the continuing stability of the world's credit structure. He said that slowly and steadily a sort of "world opinion" is developing concerning a great number of economic problems of the day.

"This development is not only to be welcomed in the interest of business facilities but also in that of strengthening the will for peace," he said. "It is not necessary to stress the fact that the economic systems of the different nations are not self-sufficient in modern times. Experience has shown again and again that their dependency on other economic entities does not decrease but rather increases with the intensity of cultural endeavor and higher industrial perfection, because the latter are constantly creating needs for new products. There thus exists a direct relationship between human progress within individual nations and the reciprocal benefit of economic intercourse among them."

"The extent to which commerce is carried on between nations is not only indicative of their dependency upon each other; it is also evidence of the extent of mutual cooperation."

"In the future let us hope that our Governments and two peoples always will be found working together. There is no reason why our two peoples after reconciliation can not be friends once and for all. It is to every advantage of these two sister Republics to be of mutual help and trust to one another for the benefit of our people and to the benefit of humanity."

DISTRICT OF COLUMBIA APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10813) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, the pending question being on the amendment of the Committee on Appropriations, under the heading "Sewers," on page 38, after line 5, to insert:

For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles, purchase of oil, and other necessary expenses, \$60,000, to be immediately available: *Provided*, That of the amount herein appropriated there may be transferred for direct expenditure not to exceed \$16,500 to the Director of Public Buildings and Public Parks of the National Capital and, in the interest of coordinating the work of mosquito control in the District of Columbia, not to exceed \$7,500 to the Public Health Service of the Treasury Department, the amounts so transferred to be available for the objects herein specified.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee. The Senator from Virginia [Mr. GLASS] is entitled to the floor.

Mr. GLASS. Mr. President, to review in a word what I said briefly yesterday, this particular item in the District appropriation bill, it seems to me, is totally unjustified by any of the facts adduced by the evidence. In view of the fact that the President has no persistently admonished Congress against extravagant appropriations, by letters to the chairmen of the Appropriations Committee of this body and of the other body of Congress, it seems to me that the proposal to take \$65,000 of the public funds to hunt mosquitoes in the District of Columbia is rather preposterous. When I turned to the testimony taken before the House committee, which resulted in the proposition being laughed out of the bill, I could readily understand why it was rejected at the other end of the Capitol.

The health officer of the District was called and asked by the chairman of the Appropriations Committee of the House why we should appropriate \$65,000 for the eradication of a few odd mosquitoes. As I perused the testimony neither Doctor Fowler, the health officer, nor Mr. Gordon, the superintendent of hygiene, began to give any satisfactory answers to the interrogatories. Doctor Fowler said:

I am frank to say, as health officer, that we have had comparatively few complaints about mosquitoes. I want to add that I know of no condition in the District of Columbia whereby there has been an increase in sickness by reason of the presence of mosquitoes.

Mr. BORAH. Mr. President, there is so much confusion in the Chamber that I could not hear the Senator. May I ask from what he is reading?

Mr. GLASS. I am reading from the testimony of Doctor Fowler, health officer of the District of Columbia, given before the House Committee on Appropriations. It will be noted that

he said there is no health condition in Washington which justifies the appropriation.

It appears that an attaché of the White House discovered some mosquitoes in a bush or in the lawn grass and immediately assembled a council of war, composed of Doctor Fowler, the health officer of the District; Colonel Grant, Director of Public Building and Public Parks; and four or five others; a sanitary engineer, Mr. R. E. Torbert; the superintendent of hygiene, a Mr. Gordon; and a representative of the Public Health Service, who was called in as a consulting authority on the subject. After that grave council of war against the few odd mosquitoes that were discovered, or alleged to have been discovered, in the bushes and lawn grass at the White House, it was proposed to make this appropriation of \$65,000 not for a single year but continuously for the control of the mosquitoes.

Everyone knows that when a responsible attaché of the White House proposes an appropriation for his own comfort, or that of the President, it is very difficult to get a physician, particularly when the proposal is predicated upon health considerations, to say anything against it. If Senators will follow the testimony they will see the obvious reluctance of Doctor Fowler to say anything in condemnation of this appropriation until he was pinned down by Mr. SIMMONS, of the House committee, and then he was obliged to give his professional opinion that there was no justification for the appropriation. I quote from the hearings, as follows:

Mr. SIMMONS. I am asking you whether you would recommend this expenditure from the standpoint of the protection of the public health.

Doctor FOWLER. I would recommend that some effort be made to keep down the mosquitoes.

Mr. SIMMONS. That does not answer my question.

Doctor FOWLER. As to whether or not the expenditure of this sum is actually necessary, I am frank to say I have some doubts. I think that the result of the expenditure would relieve an unsatisfactory condition, particularly around in the places where the most annoyance has occurred.

Mr. SIMMONS. That does not answer me yet.

Doctor FOWLER. I am trying to answer you.

Mr. SIMMONS. Do you say that you can recommend this expenditure as a matter of safeguarding the health of the people of the District of Columbia, or do you recommend it merely as a matter of removing an annoyance now and then during the summer months?

Doctor FOWLER. May I ask if there is anything in my statement that says anything about health?

Mr. SIMMONS. I want to know.

Doctor FOWLER. I am frank to say, gentlemen, that I can not, on that basis, as the public health officer of the District, justify the expenditure of that sum of money for getting rid of mosquitoes. They are an annoyance. The mosquito is capable of spreading malaria if the mosquito happens to be infected with the malarial organism.

Mr. SIMMONS. Have we had any malaria in the District of Columbia resulting from mosquitoes?

Doctor FOWLER. None that I can trace to that.

Then a little further over when Mr. Gordon, who has something to do with the hygienic activities of the District, was on the stand, he said, in answer to a question from a member of the committee, that for the first year the expenditure would be higher because it would be necessary to buy a few automobiles.

Chairman WOOD. Well, automobiles to hunt mosquitoes with?

Mr. GORDON. Yes.

"Automobiles to hunt mosquitoes with"!

In making an adverse report on the proposition the chairman of the House committee called attention to the fact that all of the medical testimony taken showed there was no need whatsoever for this appropriation.

It has been suggested here that the Public Health Service, as distinguished from the health service of the District, said that this appropriation was necessary. I am authorized to say that the Public Health Service initiated no inquiry at all touching this matter; in other words, it never occurred to the United States Public Health Service that there was any need for the appropriation of \$65,000, \$9,000 of which was to be expended for automobiles to inaugurate a hunt for mosquitoes in the District of Columbia.

After the council of war, gravely participated in by these officials in Colonel Grant's office—and Colonel Grant is not a physician—a representative of the Public Health Service was called in. Of course, he said mosquitoes are annoying. They are annoying when one discovers any mosquitoes; but, as I stated last evening, for 20 years I have occupied a room in the Raleigh Hotel facing the Mall and not far removed from the territory which is alleged to be the breeding spot of some mos-

quitoes, and I have never seen, I have never heard a buzz, and I have never been bitten by a mosquito in the 20 years that I have been in Washington.

I am further authorized to say that the representatives of the Public Health Service not an hour ago told me that there was no health condition in the District that justified this appropriation; that if the Congress wanted to spend \$65,000 a year to prevent the annoyance, or the alleged annoyance, of a few mosquitoes in the White House lawn grass or bushes, that would be all right; the Public Health Service had no objection to it. There is no health condition in the District of Columbia that justifies this proposed appropriation, and I have no idea in the world that the other branch of Congress will ever agree to it.

Mr. President, I do not want to treat the matter too seriously—

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Kentucky?

Mr. GLASS. I yield.

Mr. BARKLEY. The Senator, I imagine, does not mean to leave the impression that, because there are no mosquitoes in the Raleigh Hotel, the District of Columbia is entirely bereft of them. If he does wish to leave that impression, I can offer my own testimony to the fact that mosquitoes are in the District and that, while it may be true that there are no health conditions that necessitate this appropriation, I should not like for the Senator's remarks to leave the impression in the RECORD that the District of Columbia does not have its full quota of mosquitoes during the hot season.

Mr. GLASS. I am perfectly willing that the Senator should go on record as having been bitten by a mosquito; but there are no more mosquitoes in the District of Columbia than there are in thousands of other cities where appropriations of \$65,000 are not made to chase them with automobiles.

Mr. BARKLEY. If the Senator will yield further, I am not contending that an automobile is a proper vehicle in which to go gunning for mosquitoes, but, if an automobile is not the proper vehicle and this appropriation is needed, it might be that the Senator from Virginia could suggest a suitable and appropriate vehicle in which the mosquito chasers might carry on their work.

Mr. McKELLAR and Mr. NORRIS addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Virginia yield; and if so, to whom?

Mr. GLASS. Let me first respond to the Senator from Kentucky in just a word that the question involved would be different if the appropriation were needed to conserve the public health rather than to avert a momentary annoyance to some attaché of the White House. The mosquito situation in the District does not bother the President; the President is the picture of health, and, moreover, he goes frequently to Virginia on the headwaters of the Rapidan and escapes the few mosquitoes that appear to have been discovered on the White House lawn.

Mr. BINGHAM. Mr. President, the Senator is evidently afraid that if we eliminate mosquitoes here he will not go to Virginia.

Mr. GLASS. I did not catch what the Senator said, because he said it out of order without asking permission. [Laughter.] What was the suggestion of the Senator from Connecticut?

Mr. BINGHAM. Mr. President—

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Connecticut?

Mr. GLASS. I yield.

Mr. BINGHAM. I merely remarked to my good friend from Virginia that evidently he was afraid that if we should eliminate mosquitoes in the District the President then would not take his weekly trips to Virginia, and therefore the Senator's constituents would miss him.

Mr. GLASS. I am willing to confess that that would be distressing.

Mr. McKELLAR. Mr. President, now will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Tennessee?

Mr. GLASS. I yield.

Mr. McKELLAR. I can not understand why automobiles are needed to overtake mosquitoes. My recollection is that mosquitoes do not during their entire life move over 300 yards from the place where they were born, unless a great hurricane or something like that should drive them along, and storms of that character do not often occur. I repeat that under ordinary conditions the range of the mosquito is about 300 yards, and so I can not see the necessity for the use of automobiles in connection with mosquito eradication.

Mr. GLASS. Mr. President, I will simply remark that I can not qualify as an expert on the breeding of mosquitoes and their habits.

Mr. NORRIS. Mr. President—

Mr. GLASS. I yield to the Senator from Nebraska.

Mr. NORRIS. The Senator from Tennessee does not comprehend the idea at all. He forgets that we are going to use passenger-carrying automobiles in this mosquito campaign; we will catch the mosquitoes, even though they do not go more than 300 yards from the place where they were born, and carry them outside of the District and let them go.

Mr. GLASS. Mr. President, I do not care to say anything more about the matter. If the Congress wants to waste \$65,000, all right; but if it does it, I hope the President will not write any more letters admonishing us about useless expenditures.

LEGISLATIVE PROGRAM OF THE SESSION

Mr. HAWES. Mr. President, in the House of Representatives there is a committee, called the Rules Committee, which provides the preferential order for the transaction of business in that body. It is the custom of that committee to call before it witnesses and listen to testimony and to secure the advice of Members of the House. Then, after that is done, a program is arranged for the House and is followed.

I have now before me a letter signed by the junior Senator from Michigan [Mr. VANDENBERG], which I do not quite understand. The heading on the letter reads:

United States Senate.

Majority committee on order of business.

The letter then proceeds to give a preferential position to certain measures upon the calendar. The fourth one on the list, being Senate Joint Resolution 161, was not upon the calendar; it was not reported by the Interstate Commerce Committee at the time that this letter was written. It does not meet the approval of a majority of the Committee on Interstate Commerce, and in the minority action to report it out there was only qualified approval on the part of two of the members of the committee.

Looking over the names of this committee, I find that Mr. GOFF is chairman, Mr. VANDENBERG is vice chairman, Mr. HASTINGS, Mr. FRAZIER, and Mr. KEAN are the other members. I desire to direct the attention of the Senate to the fact that I know that three of these five members are opposed to this joint resolution; so I should like to ask the junior Senator from Michigan why he gave such special preference to a measure from the senior Senator from Michigan.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HAWES. I just asked the question.

Mr. VANDENBERG. May I answer it now?

Mr. HAWES. That is the reason why I asked it.

Mr. VANDENBERG. I shall be very glad to answer it.

In the first place, the three members of the steering committee who are said to oppose the joint resolution to which the Senator takes exception were present and voted in favor of putting it upon the program, because they realized that it is of sufficient major challenge so that it must be acted upon before this session of the Senate adjourns, in justice to the large interest in the country which demands that the Senate meet this issue.

The Senator says the measure is not upon the calendar. Of course he is mistaken. It is upon the calendar. It was not upon the calendar at the time the letter appeared; but that is not the fault of the steering committee, because the committee was advised, and acted upon that advice, that it was on the way to the calendar, and would be upon the calendar the afternoon the committee met, and therefore should have been upon the calendar when the steering committee's program appeared.

Be that as it may—if I may just complete the answer in a sentence—the function of the steering committee is purely advisory. The order of business is entirely in the control of the Senate; and the Senator can complain as he pleases when the order is reached as suggested by the committee, and if he can procure the agreement of a majority of his colleagues he can very easily dissipate the program at that point.

Mr. HAWES. I challenge the Senator's statement that three of this committee considered this joint resolution of sufficient importance to report it.

Mr. VANDENBERG. Does the Senator challenge the statement that they were present at the meeting of the steering committee and voted for this report?

Mr. HAWES. I challenge the statement the Senator made a moment ago that they coincided with his view that the joint resolution of the senior Senator from Michigan demanded this preferential consideration, because these three Senators voted against the joint resolution.

Mr. VANDENBERG. Why did they vote to put it on the program?

Mr. HAWES. I challenge the Senator's statement.

Mr. VANDENBERG. Which statement does the Senator challenge? I am trying to find out.

Mr. HAWES. I challenge the statement that this matter was considered in the committee, and that the three Senators whom I named considered it of sufficient importance to give it preference over some other hundred bills pending in the Senate.

Mr. VANDENBERG. Does that mean that the Senator challenges the statement that these Senators voted for this program?

Mr. HAWES. No, sir.

Mr. VANDENBERG. Then there is no controversy between us. They did vote for it; and they would not have discharged their proper function as members of the steering committee if they had voted to place on the program only bills which they themselves favored. That is not my conception of the function of the steering committee.

Mr. HAWES. Mr. President, on inquiry I find that even this informal committee has never heretofore given preference to a bill that had not been passed upon by a committee and was not upon the calendar.

May I ask the Senator another question? There is one bill from the senior Senator from Michigan [Mr. COUZENS] that was not reported by the committee. Here is another measure reported by the junior Senator from Michigan that is favored by the senior Senator from Michigan. Why did the chairman of this committee take from the calendar the bus bill that was on it in his previous recommendation?

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HAWES. Yes.

Mr. VANDENBERG. Let me correct the Senator's premise first. The chairman took nothing from the calendar and put nothing on the calendar. The action of the committee to which the Senator from Missouri adverts is the unanimous action of the entire committee, meeting in conjunction with the Republican leader and the assistant Republican leader, and represents a meeting of minds as to the proper process.

Now, coming to the immediate question of the Senator—

Mr. HAWES. One minute.

Mr. VANDENBERG. Just a moment; I want to answer the Senator's immediate question.

Mr. HAWES. One minute. The Republican leader to whom the Senator refers, I assume, is the senior Senator from Indiana [Mr. WATSON].

Mr. VANDENBERG. And the senior Senator from Oregon [Mr. McNARY].

Mr. HAWES. The senior Senator from Indiana voted against this joint resolution in committee.

Mr. VANDENBERG. That has nothing whatever to do with the propriety of its place upon a program, and if the steering committee ever comes to a point where it gives recommendation of a place for Senate consideration to legislation only which it favors, then it will possess an autocratic advisory power that it should not possess at all.

Mr. HAWES. The Senator is clearly dodging the issue.

Mr. VANDENBERG. What issue am I dodging?

Mr. HAWES. The Senator is dodging the responsibility of reporting a measure and giving it preferential place before the Senate so far as he can, that was not even approved by the committee, was not upon the calendar, and, so far as I know, a thing of that kind has never been done before.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. HAWES. I yield.

Mr. VANDENBERG. The Senator says I have dodged an issue.

Mr. HAWES. Yes.

Mr. VANDENBERG. The Senator flatly misstates the fact. I have dodged no issue, and I have answered every question the Senator has asked, and I now proceed to answer the next one.

Mr. HAWES. All right, sir. Why did the Senator take the bus bill from this calendar?

Mr. VANDENBERG. I am about to answer that—

Mr. HAWES. All right; do it.

Mr. VANDENBERG. Changing the premise, because I insist that it is the unanimous action of the committee.

The committee made the new program on the philosophy, first, that the major administrative legislation recommended by the President should be put as far forward as possible, so that it might not fail in this session. That explains the appearance of the prohibition transfer bill.

The second consideration was that, so far as possible, measures in which a major controversy was involved, which might extend to such a degree that there could be no hope of settlement in the few remaining weeks of the session, should not be given precedence; and on that theory, and entirely at the suggestion of the Republican leadership—because I have absolutely

no interest in either of the measures—the bus bill was taken from the priority list.

That is a statement of the facts, and I am sure the Senator will credit me with integrity of statement in submitting the facts.

Mr. HAWES. And great error in the Senator's conclusions.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Missouri yield?

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Arkansas?

Mr. HAWES. I yield.

Mr. ROBINSON of Arkansas. I desire to ask the Senator from Michigan a question, which I think will be calculated to elicit some information of which the Senate is really in need. This is an unofficial committee?

Mr. VANDENBERG. Entirely so.

Mr. ROBINSON of Arkansas. It represents the policy of the majority as to the legislation that should be brought forward and considered. Is that true?

Mr. VANDENBERG. I should hope that describes the function of the committee.

Mr. ROBINSON of Arkansas. Has the committee any rules by which it determines what measures shall be advanced, and what measures shall be looked upon with disfavor or not brought forward?

Mr. VANDENBERG. None that I know of, if the Senator means formal or written rules.

Mr. ROBINSON of Arkansas. The Senator has said with emphasis that it is not the policy of the members of the steering committee merely to put on the program measures that they favor, but that, in the exercise of their discretion, they place on that program measures to which they are opposed. I want to know how it is that this committee determines when a bill shall be put on the program and when it shall be denied that preferential treatment.

There are a large number of bills pending in the Senate, thousands of them before the various committees of the Senate, and quite a considerable number of them on the calendar of the Senate; and we find that the steering committee, pursuant to the policy of the majority, have placed on the calendar for preferential treatment seven measures, omitting all other measures. What I am trying to arrive at is by what system, according to what principle, does this body that assumes to direct the procedure in the Senate, and to advise the Senate as to what measures it shall take up and act upon, determine its choice or selection of measures to be so favored?

Mr. VANDENBERG. The Senator is fully as able, out of his far larger experience in the Senate, to answer that question as I am.

Mr. ROBINSON of Arkansas. No; let me be frank with the Senator.

Mr. VANDENBERG. But I will answer it to the best of my ability.

Mr. ROBINSON of Arkansas. Let me answer the Senator in that connection.

This steering committee, in the sense that it shall presume to direct the business of the Senate, determine or advise what legislation shall come forward for consideration, is a brand new institution. We have never had it until quite recently. I have never been informed as to what ingenious brain devised that scheme. It is comparable to a method that prevails in another legislative body; but in that body the committee that performs the function is an official agency, charged with responsibility to the legislative assembly. In this body, in some mysterious way, a few Senators have been constituted by some official power a group to tell the Senate what measures it is advised the Senate shall consider and act upon.

I agree with the Senator that such a body could not exist for a few hours if it became apparent that the members who chose the bills to be considered would put on the program merely such bills as they highly favored, and leave off the program all other bills. It is a very significant fact, however, that to hundreds of bills pending before the Senate, many of which are of very great importance, it is not proposed to give the slightest consideration; but this unofficial body, presuming to select the measures for consideration, brings forward some five or six, and says, "Here is the program of the United States Senate."

What I am trying to find out—and if the Senator from Michigan does not know, he can answer me by saying so; if the Senator from Indiana [Mr. WATSON], who is probably responsible for this diabolical scheme, can give him advice or information, let him do it—what I am trying to find out is, what is the process, what are the principles that govern this self-constituted and unofficial body in determining what measures the Senate may consider?

Mr. VANDENBERG. Does that complete the Senator's question?

Mr. ROBINSON of Arkansas. Yes; that completes this question.

Mr. VANDENBERG. I shall be very glad to answer the question to the best of my ability, with the permission of the Senator from Missouri. Does the Senator yield?

Mr. HAWES. I yield; yes.

Mr. VANDENBERG. I have already indicated to the Senator from Missouri that the principle of relative importance primarily governs the discretion of the committee. The determination of relative importance inevitably is a matter of opinion. One year ago, I very violently felt that the steering committee's discretion was wretched when I was unable to get the slightest attention from it for reapportionment.

Mr. ROBINSON of Arkansas. When the Senator himself was not a member of it.

Mr. VANDENBERG. And when the Senator from Michigan tried to break the program on the floor, and failed, at which time the distinguished Senator from Arkansas insisted that the program should proceed as recommended. This is the same type of a committee that the Senator was then supporting. It is the same type of discretion which was then exercised; and if it should prove to be in error, it simply would confess that it is human.

It is the concentrated, unanimous judgment of the committee named at the head of the sheet, in consultation with the Republican leader and the Republican assistant leader, as to the order of business which most effectually can facilitate the Senate's consideration of legislation to which we think priority should be given, in the interests of the public welfare and with an eye to legislative progress.

Mr. ROBINSON of Arkansas. Mr. President, may I ask one question there, and then I shall not interfere with the Senator from Missouri or the Senator from Michigan further—unless further occasion arises.

Mr. HAWES. I yield.

Mr. ROBINSON of Arkansas. The Senator has said that the principle which governs this unofficial and self-constituted committee—

Mr. VANDENBERG. Let us say "humble."

Mr. ROBINSON of Arkansas. I will not say that, because it would not be true. I do respectfully suggest to the Senator from Michigan that it is somewhat presumptuous to advance a formal program for the consideration of the Senate without any authority on the part of the Senate. But leaving that question aside, the Senator has stated a sound principle which he says governs this extraordinary and unofficial committee, namely, the relative importance of the measures pending in the committee and before the Senate.

I assume from that statement that the committee on order of business solemnly decided that the particular bills on this calendar are of greater importance than the bills which were not given favorable consideration, and I accept his answer, although I of course reserve my own judgment as to whether the committee's decision was sound.

Mr. VANDENBERG. And, of course, the Senate itself has the last word.

Mr. BARKLEY. Mr. President, will the Senator from Missouri yield?

Mr. HAWES. I yield.

Mr. BARKLEY. One of the troubles I find with this daily sheet which is issued, which seems to change from day to day, is that we can not tell from one day to another what is relatively more important than something else.

A few weeks ago the House passed a bill regulating busses in interstate transportation in the United States. The Committee on Interstate Commerce was in such a hurry to get the bill out that they would not give hearings. The members were instructed to read the hearings before the House committee. The bill was rushed out, put on the calendar, and a day or two later it was put almost at the head of the list on this program brought in by the steering committee. Now, it is taken off the list, it is not to be considered any further.

I should like to inquire by what authority the steering committee from day to day amends and revises this daily sheet so that we can not tell from one day to another what is the program of the Senate?

Mr. WATSON. Mr. President, will the Senator yield to me?

Mr. HAWES. May I ask just one question before I yield?

Mr. WATSON. Certainly.

Mr. HAWES. Will the junior Senator from Michigan answer a question?

Mr. VANDENBERG. Very gladly.

Mr. HAWES. I notice that in the prior report the committee took off one measure recommended by the senior Senator from Michigan, and in this one they put on two measures recommended by the senior Senator from Michigan. I would like to

ask the Senator if he knew, at the time this joint resolution was placed on this preferential list, that it had not been disposed of by the Committee on Interstate Commerce?

Mr. VANDENBERG. The Senator is referring to which measure?

Mr. HAWES. Senate Joint Resolution 161.

Mr. VANDENBERG. No; the junior Senator from Michigan was given to understand that this resolution was in mechanical process of report to the Senate at the time the program was made.

Mr. HAWES. Will the Senator please give the Senate the name of his informant?

Mr. VANDENBERG. Certainly; the chairman of the committee, with whom I have been very glad to collaborate in connection with matters of importance over which he has primary direction.

Mr. BARKLEY. Mr. President, what is the mechanical process by which a bill gets from the committee to the Senate?

Mr. VANDENBERG. The drawing of a report, the typing of a report for filing at the desk.

Mr. BARKLEY. If it is a question of mechanics, I would think the committee would be supposed to vote as to whether it would be reported favorably or unfavorably, or without any recommendation. Is there any report of that sort here about this resolution?

Mr. VANDENBERG. Yes; on the calendar.

Mr. BARKLEY. Is it favorable or unfavorable?

Mr. VANDENBERG. Unfavorable.

Mr. HAWES. It was placed on the calendar yesterday, three days after this letter was written, and that is the first time it found its way upon the calendar.

Mr. VANDENBERG. I think the Senator is mistaken in his chronology. I think it was the following day.

Mr. HAWES. Mr. President, will the Senator permit another question?

Mr. VANDENBERG. I will be very glad to.

Mr. HAWES. The Senator says that this committee in its wisdom took the bus bill from this preferential list because he thought it would be controversial, and yet he puts at the head of this list the Wagner bill, which, in my opinion, will occasion more controversy than any other bill that ever came before the United States Senate.

Mr. VANDENBERG. Of course the committee had no jurisdiction over that, because the Wagner bill is at the head of the list under an order of the Senate.

Mr. HAWES. But the committee put it on the list anyhow.

Mr. VANDENBERG. Of course we put it on anyhow. It is the Senate's unfinished business whether we put it on the list or not. It is merely the recitation of an indisputable fact.

Mr. HAWES. I now make request of the chairman, a public request; I ask him to put on this preferential list a bill which will protect union labor in consolidations under the direction of the Interstate Commerce Committee. I make that request now publicly because it is a change of the law which will do more than the Couzens resolution. I make that request publicly. I do not know who has communicated with the Senator at other times, but I make the request now on the floor of the Senate.

Mr. VANDENBERG. I am very glad to acknowledge the Senator's request, and to state to him that I shall be happy to let him know the next time the committee meets, and invite him to be present.

Mr. WATSON. Mr. President, I am surprised at my genial friend the senior Senator from Arkansas [Mr. Robinson] becoming so wrought up about the action of the steering committee. When the Democrats were in power here they always had a steering committee, and they always got out a tentative program. I never knew of any Republicans who would attempt to interfere with it, because we regarded it as more or less of a family affair, the majority being chargeable with the responsibility, it being their method of beginning the discharge of that responsibility.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. What I am particularly interested in is finding out by what process and through what agencies legislation receives this favorable consideration at the hands of an unofficial committee, under the present régime, headed by my cordial friend the Senator from Indiana. In other words, those of us who are not on the steering committee, and not a part of the majority which the Senator represents, would like to find out, if we can, how the thing is done, in order that something may be accomplished in behalf of legislation which we believe in. We have never taken the attitude that it is the duty of those who are in the minority to let those

who style themselves the majority dictate the policy of legislation here, and what I am asking the Senator from Michigan, and also the Senator from Indiana, is, in the first place, how do they determine when a measure is entitled to go on the program?

Mr. WATSON. I will be very glad to answer that.

Mr. ROBINSON of Arkansas. Second, how do they determine when they will take a measure off the program, having once placed it on and served notice on the Senate that they were going to consider it?

Mr. WATSON. Mr. President, always there has been a steering committee. Under the authorization of the Republican conference this year, I was empowered to name a steering committee. I did not choose to exercise that power so long as the tariff was before the Senate, because that was the only subject to be considered. At the conclusion of the consideration of the tariff bill, however, I named the committee: Senator Goff, Senator VANDENBERG, Senator FRAZIER, Senator KEAN, and Senator HASTINGS.

They met at once and took up the various bills for consideration. They went over the list for the purpose of determining what, in their judgment, at that time, were the bills which would demand the most immediate consideration, and those for which there was the greatest pressure for consideration among the Members of the Senate.

As to just how many persons were consulted I do not know. It is not my province to meet with the committee, but I was kindly asked to do so, and did, partially because they were considering that program, and partially because a very good luncheon was served.

At that time they issued a tentative program, which was sent out to Senators. Almost immediately after that a number of the bills on the program were disposed of by being passed by the Senate. It then became necessary to add to that list. Of course, everybody understands that this is not final; that it is merely a tentative proposition, subject at all times, whenever any measure comes up to be disposed of, to be set aside by the will of the Senate. A majority at any time can fix a thing of that kind, particularly when a measure is brought up for consideration.

Mr. HAWES. Mr. President, will the Senator permit me to ask a question?

Mr. WATSON. Certainly.

Mr. HAWES. The Senator is a member of the Committee on Interstate Commerce, and he is aware of the fact that this letter was issued before the committee had acted on Senate Joint Resolution 161. I ask the Senator if in his legislative experience in the Senate he has ever heard of a measure being recommended before a committee reported on it?

Mr. COUZENS. Mr. President, will the Senator yield to me to answer that?

Mr. HAWES. I would like to have an answer to my question.

Mr. WATSON. I will make answer to it. I think once or twice before, but at least on very rare occasions. I remember one time when the steering committee put a bill on the program which had not been reported by the committee having it in charge, and it was the subject of some animadversion on the part of the Senate. I recall that. But, after all, it was within the province of the committee to put that on the program if it saw fit to do so. It is in the province of the Senate to cast it aside if a majority of Senators see fit to take that course. I think that whether ordinary or extraordinary, usual or unusual, it was wholly within the province of the steering committee to make this program and to put that one thing on the program. There is nothing unusual or extraordinary about it, so far as the exercise of that authority is concerned. As to whether or not it was wise or unwise remains yet to be determined.

I will say to my good friend from Missouri that we discussed that, we voted on the same side in the Committee on Interstate Commerce on the proposition. I do not now know whether a majority voted in favor of it or against it, but, be that as it may, the last time the committee presided over by the Senator from Michigan met it was thought wise to put this particular bill on the program for consideration. If the Senate thinks differently, they can cast it out when the time comes. This is merely tentative. This committee has no authority to bind anybody.

I recall that on one or two occasions, when my good friend's party was clearly in the majority, I had a quarrel with their steering committee, not publicly on the floor of the Senate, but I went to them in their committee meeting to insist on a measure being put on the program which I thought was of sufficient public importance to deserve that action.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. The Senator heard my inquiry of the Senator from Michigan, and to me that is the gist of this discussion. It is conceded that the so-called steering committee is unofficial, and that after its recommendation has been made the Senate still has power to determine its own order of procedure.

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. That is perfectly clear. What I am anxious to find out is how bills get this preferential treatment; how, among the thousands of bills that are here, some of them admittedly of far-reaching consequence to all the country, some 4 or 5 or 8 or 10 measures are selected and put on for consideration.

The Senator from Michigan gave a surprisingly intelligent answer to that question [laughter]; I do not mean surprising in connection with the source of the answer, but in view of the way the steering committee has usually functioned it is a surprising statement that the only way a measure can be given a place on the program is by a consideration on the part of the committee of the relative importance of the measure considered with other measures.

Now, I ask the Senator from Indiana if he corroborates the statement made by the Senator from Michigan, and when he answers that he does, as I know he must or leave the Senator from Michigan in the lurch, I am going to ask him if he means to say that the particular five or six bills now on the program are of more importance than numerous other bills which it is not expected will receive the slightest consideration during this session of the Congress.

Mr. WATSON. I can answer that I concur heartily in the statement made by the Senator from Michigan [Mr. VANDENBERG]. Furthermore, we could not put all the bills of importance on one program, for the reason that just as rapidly as the measures now there are disposed of, other measures will be put on the program.

Mr. ROBINSON of Arkansas. I agree that the intelligent and fair way to select measures for legislation is for those who have the responsibility, if anyone has the responsibility, to make a selection. I am wondering if the Senator from Indiana is going to plant himself firmly on the proposition that these particular bills are of such outstanding importance—

Mr. WATSON. Oh, no.

Mr. ROBINSON of Arkansas. That the steering committee is justified in putting the stamp of death on the numerous other great measures before the Senate in order to assure consideration of these particular measures.

Mr. WATSON. Mr. President, where hundreds of measures are pending before the Senate it would lead to a chaotic condition if at any time a Senator might rise and move the consideration of his pet measure and then some other Senator might move to displace it with something in which he is interested. It is to avoid such a condition that a steering committee is appointed. Its members get together and take up all the measures and determine that certain ones are the ones for immediate consideration. That does not mean—

Mr. ROBINSON of Arkansas. Mr. President—

Mr. WATSON. I am trying to answer the Senator's question.

Mr. ROBINSON of Arkansas. It has been suggested—

Mr. WATSON. The Senator has not waited for me to answer his previous question before he now undertakes to ask another one.

Mr. ROBINSON of Arkansas. It has been suggested to me that the best way by which to solve this legislative difficulty is to put all the bills that anybody wants on the program one day and then take them all off the next day.

Mr. WATSON. That might be the method by which my friends on the other side of the aisle would operate.

Mr. ROBINSON of Arkansas. That is the method by which the Senator's steering committee has been operating, according to the statement of the Senator from Missouri [Mr. HAWES].

Mr. WATSON. Oh, no. The steering committee put on the program the bus bill, so called, and when they met it was discussed among the members, and they came to the conclusion that that was a measure so highly controversial in nature that it might not be passed at this session, and that therefore other things should be considered. That was our view of it. The Senator may not concur in that view.

Mr. ROBINSON of Arkansas. The Senator said the steering committee put that bill on the program—

Mr. WATSON. The first program.

Mr. ROBINSON of Arkansas. And then when they met and discussed it they tried to take it off of the program.

Mr. WATSON. Yes.

Mr. ROBINSON of Arkansas. That implies that the bill was put on the program without consideration.

Mr. WATSON. Not at all; because, after all, my recollection is—and I speak only from recollection—

Mr. HAWES. Mr. President, will the Senator yield?

Mr. WATSON. Will the Senator please wait until I finish my sentence? There were certain amendments added to the bill, I think after it was put on the program.

Mr. COUZENS. No; before it was put on the program.

Mr. WATSON. Be that as it may, the amendments put on originally, after they were discussed, made it appear as if it would be almost impossible to pass the measure at this session of Congress. Personally I am for the bus bill. I am not certain that I am for one of the committee amendments; but that does not matter. It is of sufficient importance to be considered at this session of Congress. So far as I am concerned, though I do not seek, of course, to control the action of the committee, it would seem that since we have passed a number of measures now on the program we might well reinstate the bus bill as one of the measures to be considered at this session.

Mr. COUZENS. Mr. President, will the Senator from Indiana yield to me?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Michigan?

Mr. WATSON. I yield.

Mr. COUZENS. One reason why the bus bill was put on the steering committee's program is that action had been taken with reference to the matter before the minority report was filed. The record will show that when I filed the majority report I announced that the Senator from Washington [Mr. DILL] desired to file a minority report. Before the minority report was filed, as I remember it, the bus bill was put on the steering committee's program. After the minority report was filed it developed that those who signed the minority report were decidedly vigorous in their insistence that the minority report should be accepted, which raised a very controversial question, and that changed the situation. In fact, some of the minority members said there would be no bus bill passed if their view of the matter was not adopted, because it was of such public importance that there should be no certificate of convenience and necessity for busses. That raised a serious controversial question.

Mr. WATSON. That is true.

Mr. HAWES and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield; and if so, to whom?

Mr. WATSON. I will yield first to the Senator from Missouri.

Mr. HAWES. The Senator is familiar with the bill introduced by the Senator from New York [Mr. WAGNER], which extends Federal control into every State in the Union, and is a direct departure from every theory of government we have exercised heretofore. Does not the Senator believe that is a bill which will be highly controversial?

Mr. WATSON. Let me say to my dear friend from Missouri that the measure was made the unfinished business by senatorial action. I fought it as hard as I could with might and main. I spent a great deal of time in controversy on the floor of the Senate over the question of whether or not that particular bill should be made the unfinished business. By a vote of the Senate, however, it was made the unfinished business. I was on the floor fighting at the time that it should not be made the unfinished business, but the vote of the Senate controlled, and I could not do anything. The steering committee has no right to set aside the express and explicit order of the Senate making that measure the unfinished business. Naturally, in making up their program, the committee placed that measure at the head of the program, because it is there as the unfinished business whether we want it there or not.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Kentucky?

Mr. WATSON. I yield.

Mr. BARKLEY. Reverting to the bus bill, for the last five years the State utility bodies, ever since the Supreme Court held that they had no jurisdiction over the regulation of State bodies, have been urging legislation that would bring interstate traffic in bus lines under some form of regulation similar to that relating to State utilities wholly within the State. The bill was reported out, and it is true a minority of the committee objected to one feature of it. They have filed a rather vigorous minority report, but it does not seem to me, in view of the long delay in consideration of the legislation and the universal need for some sort of bus regulation, that the filing of even a vigorous minority report ought to frighten the steering committee or the Senate itself into abandoning consideration of an important piece of legislation because it may be controversial in nature. I imagine

we will have a good many controversial matters to consider before we adjourn.

Mr. WATSON. When the next measure is taken up, why does not the Senator from Kentucky rise in his place and move to displace it and that the Senate proceed to the consideration of the bus bill? That would bring before the Senate his view, regardless of any program.

Mr. BARKLEY. I do not want to put myself in the attitude of trying to control the procedure of the Senate. I am trying to see if we can not persuade the steering committee to put the bus bill on its program so that we may consider it and not abandon it and leave it to its fate. If we do not get some action on the matter at this session, then when we come back in December we shall have the stop watch on us for the 4th of March, and the Senator knows all too well that if we get the appropriation bills passed through the Senate we will be doing well, and that if anybody desires to adopt certain parliamentary tactics and filibuster against the bus bill the very fact that it is a short session and must end on the 4th of March will lend itself to that legislative situation.

Mr. COUZENS. Mr. President, the Senator from Kentucky [Mr. BARKLEY] talked with me about this matter just this morning, but the situation is a little different than he stated it, so far as the controversy is concerned. There are three distinct viewpoints with reference to the bill, all of which are highly controversial. The Senator will remember that in the committee all three viewpoints were discussed. The House bill requires a certificate of public convenience and necessity in all cases. The majority of the committee took the view that that created a monopoly. Therefore I offered an amendment proposing that where there was no competition on a certain bus route a certificate of public convenience and necessity would not be required, but where there was a competing system then a certificate of convenience and necessity would be required. A substantial minority, headed by the Senator from Washington [Mr. DILL], said there should be no certificates of convenience and necessity required in any case because it has never been required in 30 years' experience in the management of the railroads of the country.

Mr. BARKLEY. Mr. President, I agree with the Senator that there are three prongs to the subject, one group believing that there ought not to be any certificate of convenience or necessity, while another group believe that under certain conditions it ought to be mandatory. Admitting the controversial nature of the disagreement, it does not seem to me that the different viewpoints are so controversial that we can not come to a vote on them. For instance, I might want to urge the defeat of some portion of the amendments offered in committee, but it would not take me long to express my views on the subject and then let the Senate vote on the matter.

Mr. COUZENS. One reason why my colleague does not need any defense—and neither does the steering committee need any defense—is that I was conferred with and I told the Senator from Oregon [Mr. McNARY], the assistant leader, and my colleague the junior Senator from Michigan [Mr. VANDENBERG], that the bus people and the railroads, who were the prime movers in getting the legislation through the House, had apparently lost interest in it after it was reported out by the Senate committee with the amendments.

Mr. BARKLEY. I hardly think that is an accurate statement.

Mr. COUZENS. I mean that the situation appealed to me in that way.

Mr. BARKLEY. I have received to-day from my own State a very urgent request that this legislation be not dropped. Even if it should be adopted by the Senate in the form in which it comes from the committee, or with any amendments at all, it has to go to conference in any event and be worked out between the two Houses. Even if we should not get the complete legislation at this session, we could get it into conference and then work it out at the next session of Congress.

Mr. DILL. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Washington?

Mr. COUZENS. I yield.

Mr. DILL. I want to call attention to the fact that the need of protection in this country as to railroad consolidation is far more important and far greater than the need of a few interstate bus lines being controlled. Thousands of men are affected and their families will be affected by the mergers and consolidations which are about to be consummated. I think the most important subject that can come up for action immediately is the action contemplated by the consolidation measure.

Mr. COUZENS. I would like to say that if there is any responsibility for displacing the bus bill, it may be placed upon the senior Senator from Michigan, because I think it was my

statement concerning the matter which influenced the committee's action. I think I should assume that responsibility, because in talking with the Senator from Washington [Mr. DILL] and some of the other minority members of the committee I found them so determined that there should be no certificate of convenience and necessity that they said there would be no bus bill passed at all if we are going to require at this early stage of the industry a certificate of necessity and convenience.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Kentucky?

Mr. COUZENS. I yield.

Mr. BARKLEY. May I say that it seems to me, in fairness to the Senate, it ought to be allowed to pass on the question of whether there shall be or shall not be such a certificate of necessity and convenience.

Mr. COUZENS. I entirely agree. Of course, the steering committee's report as everyone knows is merely a matter of suggestion and is not finally binding upon the Senate. I did not, if I may say so, urge that it be dropped, but I urged that it be put lower down on the list, because I thought there were some other measures which probably should secure quicker action than this particular measure.

Mr. HAWES. But it has been taken off the list entirely.

Mr. COUZENS. The first memorandum I saw prepared by the junior Senator from Michigan had a note at the bottom to the effect that, because of the controversial nature of the bill, it was put at the bottom of the list; but when the list was finally prepared that measure was not on it.

Mr. BRATTON and Mr. SWANSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. COUZENS. I yield first to the Senator from New Mexico.

Mr. BRATTON. Mr. President, no one criticizes the chairman of the committee; he has done what he thought was best considering all the circumstances. I agree with what the Senator from Washington [Mr. DILL] has said with reference to the importance of the joint resolution sponsored by the senior Senator from Michigan, suspending the authority of the Interstate Commerce Commission to approve consolidations of railroads. That is an important measure and should be considered during the present session of Congress.

I think legislation affecting motor busses operated in channels of interstate commerce is likewise of great importance. That mode of travel has become so general and the number of busses operated in that way so numerous that a substantial part of interstate commerce is affected and, in addition to that phase of it, there is involved the safety of those traveling in automobiles and otherwise than in the busses. Some motor busses are operated carelessly and negligently, thereby making the highways unsafe.

I urge the Senator from Michigan, chairman of the Committee on Interstate Commerce, to have the bus bill restored to the preferential status on the calendar, so that the Senate may be given an opportunity to pass upon it before final adjournment. The Senator knows that, although not a member of the committee, I have given some study to certain phases of the proposed legislation and intend to continue doing so. Accordingly, I am very anxious that we shall consider the bill before we adjourn. I hope the Senator will use his best efforts to that end, and likewise his colleague [Mr. VANDENBERG], the acting chairman of the so-called committee on order of business.

Mr. SWANSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Virginia?

Mr. COUZENS. I yield.

Mr. SWANSON. Mr. President, I should like to make an inquiry. Is the so-called bus bill still on the calendar?

Mr. COUZENS. Yes.

Mr. SWANSON. Allusion has been made to the steering committee of the Democratic Party when that party was in the control of the Senate here for eight years. During that time that committee made generally one character of recommendation, and that was a recommendation as to the measure to be considered after the pending unfinished business should be disposed of. The list which has been furnished Senators amounts simply to a recommendation, so that if the chairman of the Committee on Interstate Commerce, the Senator from Michigan [Mr. COUZENS], rises at the same time I rise, as he belongs to the majority, he will be recognized, conditions being equal, to move to take up a measure which had been put on the list; but if the Senator should not be very alert on his feet and I should rise and first address the Chair, then I would be privileged to make a motion to take up another bill and make it the

unfinished business; in fact, I could make such a motion five minutes after the bill in charge of the Senator from Michigan should be made the unfinished business. So a Senator can move to proceed to the consideration of the so-called bus bill if it is on the calendar and if the Senate shall so decide that bill will be taken up.

There is nothing in the suggestion as to strangling the Senate in this matter; the list provided amounts, as I have said, merely to a recommendation, carrying with it as much support as can be commanded for a recommendation of the steering committee on the part of the Republican majority and the Democrats.

Mr. President, I have never wrangled very much as to whether or not a measure should be put on the preferential list, for the majority of the Senate can vote for the consideration of any measure which it is desired to consider. As I understand, a motion is going to be made to consider the bus bill, if arrangements can not be made to consider it in an orderly way otherwise, so that it may be disposed of in some way. A motion to consider it can be made five minutes after any other bill shall have been taken up.

Mr. COUZENS. And, Mr. President, the Senator from Michigan would vote to have the Senate consider the bill in that manner.

I wish now to refer to Senate Joint Resolution 161, which I understand first caused this discussion to arise. The fact of the matter is that the chairman of the Interstate Commerce Committee was too courteous to the members of the committee in delaying submitting the report. The committee met on last Monday, and, by a vote of 6 to 6, ordered the chairman to poll the votes of the other six members of the committee and report the bill. The chairman canvassed the other members of the committee with whom he could get in contact, and delayed submitting a report, waiting several days for the Senator from Maryland [Mr. TYDINGS] so as to give him an opportunity to vote. The chairman was instructed by the committee to take the votes of those who had been present at the hearings. All members of the committee were present at most of the hearings, except the Senator from South Carolina [Mr. SMITH], who was detained on account of illness. While waiting for the vote of the Senator from Maryland, the chairman prepared a majority report because at that time the vote was 9 to 8 in favor of Senate Joint Resolution 161.

Mr. HAWES. Mr. President, will the Senator yield?

Mr. COUZENS. I yield.

Mr. HAWES. The Senator, of course, is aware that on the vote the approval of both the Senator from New York [Mr. WAGNER] and the Senator from Nevada [Mr. PITTMAN] was conditional, and they stated in letters to the chairman of the committee, published in the record, that to the most important controversial feature of the proposed legislation they were opposed.

Mr. COUZENS. Oh, no; the Senator is not correct in that respect.

Mr. HAWES. Very well; then let the Senator correct me.

Mr. COUZENS. The Senator from New York said he reserved the right to give it further consideration, but he did not say whether he approved or disapproved. The same thing is true of the Senator from Nevada.

I want to say in this connection—

Mr. HAWES. Mr. President, will the Senator yield?

Mr. COUZENS. I wish to say that in all my experience in connection with committees, I never in my life tried to prevent a report. I am willing to face any legislation, whether I approve of it or otherwise. I do not attempt to use the tactics of the Senator from Missouri to prevent a report of any kind. It was of no importance to the chairman of the committee whether the committee reported the measure favorably or unfavorably. All I wanted to do was to get the measure before the Senate for discussion. I did not attempt in any way to block a report, favorable or unfavorable, and—

Mr. HAWES. Mr. President, will the Senator yield?

Mr. COUZENS. No; not as yet—and when the committee cast a tie vote 9 to 9, the chairman was prepared to file an unfavorable report. Now I yield to the Senator from Missouri.

Mr. HAWES. Mr. President, I want to deny emphatically—

Mr. COUZENS. The Senator can deny in his own time; I will not yield for that; he can take his own time in which to make a denial.

Mr. HAWES. I want to deny emphatically that I opposed the report of the committee.

Mr. COUZENS. I refuse to yield.

Mr. HAWES. That statement is not correct.

Mr. COUZENS. The statement is entirely correct—

Mr. HAWES. It is not correct.

Mr. COUZENS. If it should be necessary to test my veracity, I can get the evidence to sustain my statement.

Mr. HAWES. I challenge the Senator to submit evidence to sustain the statement he has made.

Mr. COUZENS. I will produce it when the time is ripe; I will produce it in my own time and not in the Senator's time.

Mr. HAWES. Very well.

Mr. COUZENS. Mr. President, Senate Joint Resolution 161 was ordered reported last Monday, and after waiting for a poll of the vote of the members of the committee it was reported. Every Senator on both sides of the Chamber has had communications by the score expressing interest in railroad consolidations. Communities, labor, chambers of commerce, and other interests have expressed their desire that Congress should take some action to prevent the consolidation, particularly of certain railroads, and to suspend the action in entirety in other cases. There has been an almost universal demand from nearly all sections of the country, and from the Interstate Commerce Commissioners themselves, to prevent the operations of holding companies in purchasing, controlling, and owning railroad companies, thereby eventually destroying the whole consolidation plan prepared by the Interstate Commerce Commission and presented in December last.

There has been no objection anywhere to labor being properly provided for in the consolidation program. It was testified at the hearings by Mr. Willard, president of the Baltimore & Ohio Railroad Co., that 80 per cent of the savings to be effected by railroad consolidations would come out of the pockets of labor. I do not object to efficiency; I do not object to effectuating savings in transportation; but I do object to all of the savings being taken out of the pockets of one group. I do not propose to sit idly by and see railroad consolidations go on, many of them in violation of the intent of Congress, and a penalty placed on those least able to stand the penalty.

Whether or not the Senate Joint Resolution 161 goes too far, is a question for the Senate to determine. It is not for the Senator from Missouri, or any other individual, to determine whether the joint resolution goes too far. The only object the chairman of the committee has been trying to accomplish is to get the measure before the Senate, so that there may be some public expression as to how far the consolidation program should go through.

A committee of the House of Representatives is conducting hearings on the question of holding companies. Every member of the Interstate Commerce Commission protests the procedure of such holding companies in going out and buying up the control of railroads promiscuously, thus, in effect, destroying the whole consolidation plan of the commission and permitting the domination and control of the railroads without the consent or knowledge of the Interstate Commerce Commission. I am not prepared to discuss the joint resolution to-day, but I will be prepared to do so before the present session shall adjourn.

Mr. President, when the steering committee, in collaboration with the Senator from Oregon [Mr. McNARY], our assistant leader, discussed the bills pending, I was asked, as chairman of one of the large committees, what, in my judgment, were the matters of greatest public concern that were before the committee. I said to my colleague the junior Senator from Michigan [Mr. VANDENBERG] and to the Senator from Oregon [Mr. McNARY] that, based on my knowledge of public interest, there was no subject before the Senate or on the calendar that was of greater public interest than Senate Joint Resolution 161. Both Senators from Texas, the Senators from Montana, the Senators from Washington, the Senators from New York, and other Senators on the Democratic side, to say nothing of Senators on the Republican side, have all expressed to me individually the public interest in this railroad consolidation program. There has been no dissent that, so far as the operations of holding companies are concerned, they should be restrained. After presenting this information to the acting chairman of the committee on order of business, and to the assistant leader, they agreed that the importance of the joint resolution was such as to justify giving it a place on the steering committee's program of business.

Mr. McNARY. Mr. President—

The PRESIDING OFFICER (Mr. GLENN in the chair). Does the Senator from Michigan yield to the Senator from Oregon?

Mr. COUZENS. I yield.

Mr. McNARY. Mr. President, I have been absent from the Chamber for a time, and have merely heard the statement just made by the distinguished Senator from Michigan [Mr. Couzens]. I think probably I should relieve the chairman of the Interstate Commerce Committee from any responsibility for a change in the program.

I have always considered a steering committee program as advisory only, and not at all as sacred; and if it does not conform to the best judgment of those in charge of affairs, the majority of the Senate, it should be altered. When a few days ago I looked at the program as outlined, in the absence, on account of illness of the Senator from West Virginia [Mr. Goff], I discussed the question with the Senator from Michigan, and it was I who suggested to the Senator from Michigan that in view of the situation it would probably be well to drop the bus bill down to the end of the proposed program, and substitute therefor the very important joint resolution introduced and reported on yesterday by the Senator from Michigan [Mr. Couzens]. I think if I had the original program here I could show a lead-pencil notation which I made to that effect.

The only interest I have in the proposition is merely to take upon myself full blame of any criticism that may follow for the changes made in the program. I thank the Senator.

Mr. COUZENS. Mr. President, I thought, in view of the fact that question was raised that the action of my colleague in placing the joint resolution on the steering committee's program before the report was filed, that I should say in justification that several days previous to the filing of the report the committee had ordered the chairman to file the report, after polling the absent members of the committee who had participated in the hearings.

Mr. HAWES. Mr. President, I am sorry the senior Senator from Michigan [Mr. Couzens] is leaving the Chamber. I wanted to reply directly to him; but I will reserve my remarks for another occasion.

Mr. President, the so-called Couzens joint resolution, as originally introduced after witnesses had been heard, was repudiated by all the committee, including the chairman of the committee. Then another joint resolution was prepared, and again it was repudiated by the committee. Then a third joint resolution came in, and upon a vote being taken—one member being absent and voted by the chairman—the result was a tie. What I am complaining of is that prior to the action of that committee, when the chairman of the committee could not even make a majority report, this measure was given a place upon this calendar.

There is only one subject as to which that committee was in absolute agreement, and that was the protection of union labor and labor of all kinds when consolidations are brought about; and a bill has been reported unanimously by the committee covering the entire labor subject.

I will vote for a bill regulating holding companies, but it is just as well for the Senate to stop for a moment and think. The House has that subject before it. It is holding hearings. It is investigating the matter. It proposes to pass a law, and the Senate, in this joint resolution, sets itself up as a superior body to protect the House. If the House wants a suspension of all railroad consolidations while it is investigating holding companies, it seems to me that common courtesy would leave that question to the House.

We discovered that the first Couzens joint resolution stopped every kind of consolidation, good or bad. It was intended to stop bad consolidation, but it stopped them all. The testimony before the committee shows that 464 short-line railroads, having for sale some 23,000 miles of track, could not move if this Couzens joint resolution were passed. It proposed to stop indefinitely, without limit of time, all of the good consolidations, or perhaps the questionable consolidations; but they were all to be stricken down by the original Couzens joint resolution. Representatives of the short-line railroads testified that that would be the effect of that measure. Great improvements in the Southwest were to be stopped. There was agreement on only one thing by that committee, and that agreement was as to the protection of labor during these consolidations.

The Senate has an opportunity to pass upon that question. It has an opportunity to amend the transportation act itself, not by joint resolution but by the old accepted methods of the forefathers, to change the law, to change the statute; not to suspend, pending a new opinion of the Senate or the House, its operation, but to change the law.

If the chairman of the committee will hold a meeting tomorrow, when the committee will report a bill on holding companies, I will vote for it. If there is any other plan that will amend the law directly, let us have it; but this is a departure—this plan of suspending the functions of a great commission until such time as Congress may or may not act.

I do not want my position to be misunderstood. I believe that we should write in the law, and write it in clearly and understandably, that these consolidations must consider labor. There is a bill here about which there is no divided opinion.

There is a bill here that has the unanimous support of every man on that committee.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. HAWES. I yield.

Mr. COUZENS. That is not a correct statement, because the chairman does not approve of it, and he pointed it out to the Senator individually that the bill did not go far enough.

Mr. HAWES. I will say that the Senator sat there and he never said a word in the committee. If he wanted this bill, 4205, amended, then was the time for the chairman of the committee and members of the committee to ask for an amendment. The chairman of the committee knows full well that I would have accepted any reasonable amendment; but the chairman remained quiet. There was not a word from him about that bill.

Mr. COUZENS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. HAWES. I yield.

Mr. COUZENS. The Senator from Missouri, of course, can make his own statements. There is no question but that the committee completely understands where the Senator stands. We always know where he stands, because we have followed him so closely that we understand where he stands. The chairman of the committee, however, protested against this provision being considered before Senate Joint Resolution 161, which was before the committee, was considered. The Senator introduced that measure after my joint resolution was introduced, presented it to the committee, and out of courtesy I pushed it ahead of my own joint resolution and let him have the floor with it in the committee. The Senator knows that that measure was not introduced at the time my joint resolution was discussed, and he introduced it afterwards; and out of courtesy to the Senator I put aside my own joint resolution and took up his measure.

Mr. HAWES. This resolution was introduced by me some week or more ago, I believe, because I had discovered that every man on that committee wanted legislation of this kind and because I had discovered that the majority, or an approximate majority, did not want to have the kind of legislation that the Senator from Michigan wanted.

Mr. COUZENS. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Missouri further yield to the Senator from Michigan?

Mr. HAWES. I do.

Mr. COUZENS. The record does not show that. Of course, the Senator can go back to the time when the first joint resolution was presented to the committee; and the chairman, who introduced the joint resolution, has amended it so as to do no harm. It was not the intention of the chairman to do harm when the joint resolution was first introduced. The Senator from Missouri knows that the chairman has listened with great attention to every proposed amendment, and that every amendment that is now in the joint resolution on the calendar was agreed to by a majority of the committee, with the exception of, I think, subparagraph (c), on which the Senators from New York and Nevada made reservations.

Mr. HAWES. Mr. President, I assert that the minority report presents a plan which will automatically suspend meritorious consolidations of 464 short-line railroads and place those in jeopardy, as well as others in the great Southwest; and that there is only one thing in the whole measure upon which there is agreement, and that is the agreement to protect labor in these consolidation matters.

Mr. COUZENS. Mr. President, will the Senator yield again?

Mr. HAWES. Yes.

Mr. COUZENS. Does the Senator deny that there is an agreement on the question of holding up the holding companies from proceeding the way they are? I thought the committee was unanimous and the commission was unanimous in desiring to hold up the practice of the holding companies.

Mr. HAWES. Why, the Senator certainly knows that a majority of the committee did not favor that. They voted against the Senator's measure.

Mr. COUZENS. I am talking about the time when each paragraph came up in the committee. There was no objection to the holding-company paragraph.

Mr. HAWES. Not to that being written in the law.

Mr. COUZENS. That is what I am speaking of.

Mr. HAWES. Not to a change of the law; but there is a fundamental difference in regard to attempting to legislate by joint resolution and by change of statute law.

Mr. WHEELER. Mr. President, I did not intend to speak upon this joint resolution at this time. I did not know that the question of the Couzens joint resolution was coming up; but I want to say this:

As far as I am concerned, I am glad to see that joint resolution placed on the list as one of the favored measures that are going to come up at this session of Congress. The reason why I am in favor of it is because of the fact that the Interstate Commerce Commission, by a majority of that commission, has attempted to set forth a plan for the consolidation of the Northern Pacific and the Great Northern Railroad Cos. There is a provision in the law that the commission shall take into consideration the public interest; and I assert here upon the floor of the Senate that as a matter of fact, when the Interstate Commerce Commission attempted to set forth a plan for the consolidation of the Great Northern and Northern Pacific Railroad Cos., they did not take into consideration the public interest in the States through which these great railroads pass. The only interest they apparently took into consideration was the interest of the banking houses that control and dominate those two great systems of railroads.

The commission can not contend that one of the railroads is a weak railroad and that the other is a strong railroad. There can not be any contention upon the part of the Interstate Commerce Commission that those two railroads are not well regulated, that they are not making money, and that they are not efficient, because I assert that there are no two railroads in the United States that are more efficiently operated at the present time than are these two great railroads. Yet, Mr. President, in the face of an overwhelming protest upon the part of the people in the communities through which these railroads pass, the Interstate Commerce Commission saw fit to set forth a plan to permit the consolidation of these two railroads.

While I have not interviewed every Member of the House and every Member of the Senate from the States through which these two railroads pass, I assert that the majority of both the Members of the House and the Members of the Senate from the States through which those railroads pass are opposed to the consolidation of those two roads. It seemed to me that something drastic ought to be done, and consequently, when the junior Senator from Washington [Mr. DILL] introduced a resolution to stop that consolidation, and then the Senator from Michigan [Mr. COUZENS] introduced his resolution for the purpose of stopping consolidations generally, I favored his resolution, although I did not know anything concerning any other consolidations which were pending.

I came to the conclusion that if the Interstate Commerce Commission was so careless with reference to public opinion in dealing with the Northern Pacific and the Great Northern Railroads, it was possible that they might have been likewise careless in taking into consideration the public interest with reference to other consolidations.

I, for one, want to see this resolution of the Senator from Michigan passed at this session of Congress. If there is one thing to-day of which the people of the United States are fearful, one thing in which the people of this country are interested at the present time, it is these gigantic consolidations and combinations which are going on by leaps and bounds, and we know, from the testimony which has been taken before the Interstate Commerce Commission, that there are investment trusts which are to-day taking control and buying up the stock of these great railroad corporations; they are getting control of them, and they are getting control of them in such a way that the Interstate Commerce Commission can not have any jurisdiction over them.

I feel that the Congress of the United States ought to go ahead and pass this resolution, holding up these consolidations and these combinations which are going on among the railroads of the country at least until the next session of Congress, when we will have time to pass some legislation giving the Interstate Commerce Commission jurisdiction over these investment trusts.

Mr. COUZENS. Mr. President, will the Senator yield?

Mr. WHEELER. I am glad to yield.

Mr. COUZENS. I wonder whether the Senator does not think it significant that all through the hearings during the pendency of this resolution before the committee no shipper on a railroad appeared in protest against the resolution.

Mr. WHEELER. Not only did no shipper protest against it, but, on the contrary, I received telegrams from chambers of commerce, I received telegrams from individual shippers, I received telegrams from practically every railroad organization in the State of Montana, protesting against the consolidation of the Northern Pacific and the Great Northern. I received telegrams from bankers, merchants, from large shippers and small shippers, from railroad organizations from one end of the State to the other, and from Minnesota, from North Dakota, from South Dakota, from Washington, protesting against it and urging the passage of the Couzens resolution.

Mr. HAWES. Mr. President, will the Senator yield to me?

Mr. WHEELER. Gladly.

Mr. HAWES. I think the Senator knows that I am in entire sympathy with his position regarding the Northwest consolidations.

Mr. WHEELER. Yes.

Mr. HAWES. And also in connection with union labor.

Mr. WHEELER. Yes. I had understood that the Senator—in fact, that a majority of the committee—were absolutely opposed to the consolidation of the Northern Pacific and the Great Northern Railroad Co.

Mr. HAWES. That is right.

Mr. WHEELER. I had likewise understood that a majority of the committee were opposed to these investment trusts going ahead as they have been going ahead, and likewise that they were opposed to the proposition of their not taking labor into consideration when they took up the question of the consolidations. I understood that the Senator from Missouri was in accord with all three of those propositions.

Mr. HAWES. Mr. President, I simply wanted to make this statement, that the difficulty in our committee, as evidenced by its repeated expressions, was in an attempt to separate the good from the bad. It may be that this Great Northern consolidation was a bad consolidation, but certainly in all the hearings held before the Interstate Commerce Committee projects are concerned which are of vital interest to communities. There are projects which are of such a nature that if they do not go through, union labor itself will suffer. There are projects involving some of the short roads, intended to be protected by the Government, which will go into the hands of receivers and be closed up. The difficulty in our committee was because it attempted to do something by resolution instead of by statute amendment, catching the good, the indifferent, and the bad under one set of words. I think it was largely that, namely, Government by resolution, which caused the opposition in the committee to the report of the chairman.

EXECUTIVE MESSAGES

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

ASSOCIATE JUSTICE OF SUPREME COURT

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read and referred to the Committee on the Judiciary:

To the Senate of the United States:

I nominate Owen J. Roberts, of Pennsylvania, to be an Associate Justice of the Supreme Court of the United States.

HERBERT HOOVER.

THE WHITE HOUSE, May 9, 1930.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States nominating sundry officers in the Regular Army, which was referred to the Committee on Military Affairs.

CLAIM FOR DETENTION OF NORWEGIAN STEAMER "TAMPEN" (S. DOC. NO. 144)

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations and ordered to be printed:

To the Congress of the United States:

I inclose a report received from the Secretary of State requesting the submission to the present Congress of the claim presented by the Government of Norway against the United States for reimbursement on account of losses sustained by reason of the detention of the Norwegian steamer *Tampen* by the United States Coast Guard during June, 1925.

I concur in the recommendation made by the Secretary of State and recommend that, as an act of grace and without reference to the question of the legal liability of the United States in the matter, the Congress authorize an appropriation in the sum of \$8,765, in order to effect the settlement of all claims arising as a result of detention of the vessel.

HERBERT HOOVER.

THE WHITE HOUSE, May 9, 1930.

LABOR CONDITIONS—STATEMENT BY SENATOR ROBINSON OF ARKANSAS

Mr. McKELLAR. Mr. President, yesterday there was given out a statement, published in all the papers, by the senior Senator from Arkansas [Mr. ROBINSON] regarding unemployment, and I ask unanimous consent that it may be printed in the RECORD as a part of my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

WASHINGTON, May 8.—The 60-day period set by President Hoover for the ebb of the tide of business depression to run its course expired yesterday. Senator ROBINSON of Arkansas, the Democratic floor leader, makes the following comparison of the prophecy and the conditions now existing, and points out the consequences thereof.

On March 8 of this year President Hoover issued a formal statement of business conditions in the United States. It was a flame of optimism, and in effect promised that the depression due to the panic that began with the stock crash last October would have passed within 60 days. The President's own language on that occasion was:

"All the evidences indicate that the worst effects of the crash upon employment will have been passed within the next 60 days with the amelioration of seasonal unemployment, the gaining strength of other forces, and the continued cooperation of the many agencies actively cooperating with the Government to restore business and to relieve distress."

"In his optimistic prophecy the President was joined by his Secretary of Commerce, Mr. Lamont, and his Secretary of Labor, Mr. Davis. The 60-day period expired yesterday, and the price of a great number of leading securities and commodities is lower than ever and the unemployment situation is steadily becoming worse. A week ago President Hoover delivered a speech before the Chamber of Commerce of the United States, in which he reiterated his declaration that the business slump is nearly all over, and made use of this significant phrase: "He would be a rash man who would state that we can produce the economic millennium." That was a new thought to the President since the date of his speech of acceptance of the Republican nomination, when he stated:

"One of the oldest and perhaps the noblest of human aspirations has been the abolition of poverty. We in America to-day are nearer to the final triumph over poverty than ever before in the history of the land. The poorhouse is vanishing from among us. We have not reached our goal, but given a chance to go forward with the policies of the last eight years we shall soon, with the help of God, be in sight of the day when poverty will be banished from this Nation."

"If that is not a statement of the coming economic millennium, it would be hard to frame such a prophecy."

"The day after President Hoover's chamber of commerce speech the stock market experienced a crash that carried the prices of securities to lower levels than the abyss of the black November days of last year."

"The President, of course, did not bring about the panic, but it should not be forgotten that he asked his election on the ground that it was the only way to continue prosperity in this country."

"Prosperity is no idle expression," he said in his New York campaign speech. "It is a job for every worker. It is the safety and the safeguard of every business and every home. A continuation of the policies of the Republican Party is fundamentally necessary to the further advancement of this progress and to the further building up of this prosperity."

"After telling of all the blessings that have come from Republican rule he added: 'I can not believe that the American people wish to abandon or in any way to weaken the principles of economic freedom and self-government which have been maintained by the Republican Party, and which have produced results so amazing and so stimulating to the spiritual, as well as the material, advance of the Nation.'"

"In his message to the Republican convention upon being notified of his nomination on June 14, 1928, Mr. Hoover said: 'The victory of the party will insure stability of business and employment.' And he continued: 'It is vital to the welfare of the United States that the Republican Party should continue to administer the Government. It is essential that our party should be continued in organization and in strength in order that it may perpetuate its great principles in our national life.'"

"All through that campaign, and in the early months of his administration, Mr. Hoover took credit for himself and his party for our national prosperity. He attributed nothing to the expansion of business and opportunity resulting from the war. He allowed nothing for the ingenuity, enterprise, and intelligence of the American people."

"Moreover, though he had been for eight years at the head of our Department of Commerce with his fingers constantly on the pulse of industry and investment, he issued no word of warning of the catastrophe that lay just ahead, although after it had happened he was glib in his explanations of the why and wherefore of the catastrophe, which has had such a terrific effect on the welfare of millions of our people."

"Since the panic which began last November conditions have grown steadily worse, despite the Pollyanna statements of the administration and the misleading reports of some of its members, notably James J. Davis, the Secretary of Labor. Mr. Davis's figures on unemployment have been so inaccurate that the country has lost faith and now accepts no administration declarations as reliable. Perhaps no further explanation of the public doubts, which are the greatest obstacle to the restoration of normal conditions, is required. If the people have not confidence, business must continue to stagnate and prosperity to be delayed. However blameless the President may be for the initial panic,

it is most unfortunate that added disappointment should have come from his persistent coloring of real conditions. The people have a right to expect the facts. They are not children to be lulled by constant assertions which are proved erroneous by every day's market."

"It may be urged that the President merely guessed wrong in his judgment of market conditions. The Government has no right to guess, for the people do not take the statements of their officials to be mere speculation or expressions of desire. They think, and have a right to think, when from the head of the Government there comes a statement backed by impressive statistics that the ebb is over and the tide of prosperity is again flowing, that they can rely on it."

"However we may deplore the tendency of people to bet on the stock market, it must be recognized that they are eager to believe good news and are prone to base their investments on such information as they are able to get. It is equally understandable that the President should wish to be the bearer of glad tidings, but it is unfortunate that he has failed to take into consideration the weight that was certain to be given his words."

RADIO ADDRESS BY SENATOR BARKLEY ON THE SUPREME COURT

Mr. McKELLAR. Mr. President, just at this time the Supreme Court is very much in the public eye. Last night the senior Senator from Kentucky [Mr. BARKLEY] made a very illuminating address over the radio upon the subject of the Supreme Court. I ask unanimous consent that it may be printed in the RECORD as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Ladies and gentlemen, the public interest in the Supreme Court of the United States which has been aroused by recent appointments of Chief Justice Hughes and Judge Parker, and the discussions in the Senate over their confirmations, has induced the Washington Star to invite me to discuss briefly the part which the Supreme Court has played in the history of the United States.

Manifestly no comprehensive historical discussion is possible within the short space of time allotted to me. I shall, therefore, content myself with a general reference to the more outstanding instances in which the Supreme Court has shaped the policy of the Nation.

When the Constitution was under consideration and was finally framed it provided for three departments of the Government—the legislative, the executive, and the judicial. This was something of a new departure in allocating the powers of a modern government, although there are those who claim that they can trace this idea to Aristotle.

Under the terms of the Constitution all legislative powers are vested in Congress. The executive powers are vested in the President. These two branches of the Government are independent of each other except that the President may veto an act of Congress, which may be repassed by a two-thirds vote of both Houses, and except that all executive departments are dependent upon Congress for the necessary appropriations to conduct their activities.

The third branch of the Government, under the terms of the Constitution, is the judicial branch, consisting of the Supreme Court and such other courts as Congress may from time to time establish. The judicial branch is wholly independent of the other two except that all judges must be appointed by the President and confirmed by the Senate, and except also that this branch must depend upon Congress for the necessary appropriations to conduct its business.

It will therefore be seen that while each of the three branches of our Government is supposed to be independent of the other two, there is a sense in which they are all to some extent dependent upon the others.

One of the great controversial questions which has occupied the thought of the people since the organization of the Government has been the power of the Supreme Court over legislative acts of Congress and the executive acts of the President. Nowhere in the Constitution is there to be found any specific authority empowering the Supreme Court to declare null and void acts of Congress. Nowhere in the Constitution is there any provision making of the Supreme Court a sort of legislative board of appeals to determine the constitutionality of an act passed by both Houses of Congress and approved by the President. It is interesting, therefore, to inquire into the circumstances under which the Supreme Court has exercised this power almost from the beginning of the Government.

At the Constitutional Convention at Philadelphia a motion was four times defeated to make of the Executive and Supreme Court a board of revision to pass upon acts of Congress. The direct question, however, of conferring specific authority upon the court to declare acts of Congress constitutional or unconstitutional was never voted on in the Constitutional Convention.

After the formation of the Government, controversies were constantly arising over the powers of the Federal Government and of the several States. The Constitution provides that the document itself and all laws made in pursuance of it and all treaties entered into should be the supreme law of the land. This was largely intended to make it certain that where any conflict should arise between a State and the Federal

Government as to the exercise of any power, the Constitution and the laws of the United States were to be supreme.

It was largely because of controversies which had previously arisen among the States over commerce and navigation that Congress was given the power to regulate commerce among the States, and it has been largely in the interpretation of the extent of this authority that the Supreme Court has exercised so large an influence in shaping the political and economic destiny of the Nation.

Early in the history of the Nation there arose two schools of thought as to the nature of our federated Government. One of these schools insisted that the Federal Government must be accorded the right to control and regulate all matters that were national in their scope. The other group insisted that the States were supreme in all matters which had not been specifically or by necessary implication delegated to the National Government, and this controversy occupied the attention not only of political parties but of each succeeding administration and of the Supreme Court itself until the Civil War and even afterwards.

Chief Justice Marshall became the judicial interpreter of the federalistic theory and Thomas Jefferson became the outstanding protagonist of the State's rights theory.

The first decision of the Supreme Court involving the constitutionality of an act of Congress was in the famous case of *Marbury v. Madison*. Marbury had been appointed a justice of the peace for the District of Columbia by President Adams, and his appointment had been confirmed by the Senate, but his commission had not been issued when Jefferson became President and James Madison Secretary of State. Madison refused to issue the commission, and a suit was brought by Marbury to compel him to issue it. Chief Justice Marshall used this comparatively insignificant case as the vehicle for declaring unconstitutional a previous act of Congress.

Although from that day until this the policy adopted in this decision has been bitterly and repeatedly attacked, the Supreme Court has exercised the power of rejection or judicial review over the laws passed by Congress, and since that time it has declared something more than a dozen acts of Congress to be unconstitutional.

Not only has it exercised this right as to the acts of Congress, but it has exercised it more frequently with reference to the acts of State legislatures. Altogether the Supreme Court has declared more than 250 acts of various State legislatures to be in violation of the Constitution of the United States. These decisions, not only as to congressional legislation but, also, as to State legislation, have had a profound effect upon shaping the character of our political institutions.

As an outstanding example of this judicial power, one of the first cases to bring sharply into contrast the supremacy of the Federal Government over acts of the State legislatures, was in the famous case of *McCulloch v. The State of Maryland*, which grew out of the effort of the State of Maryland to levy a State tax upon the bank of the United States, created and chartered by the Federal Government. In this case the Supreme Court rendered the decision that the State had no power to tax an agency of the Federal Government; that the creation of the national power was a constitutional exercise of the powers of Congress, and that if a State should be held to have the authority to levy a tax upon it, the result would be to make the agencies of the Federal Government subservient to the local powers of the State government. Under the influence of this decision and subsequent decisions the State governments have not exercised this power over Federal institutions, except in cases where Congress has specifically authorized the exercise of the taxing powers of the State governments.

It is interesting to note in this connection that there is no important government in Europe, or for that matter in the world, where the judicial branch exercises the right to declare unconstitutional acts of the national legislature.

In England, theoretically the King has the power of veto, but it has not been exercised for two centuries. The courts of England exercise no right of revision or nullification over the acts of Parliament. There is only one instance in which it was done and in that case the chief justice was hanged and his associates driven from the country. I do not mention this interesting circumstance as an indication that I would favor such treatment of our courts of the United States, but merely as emphasizing the singular and almost unprecedented power over acts of legislation exercised by the courts in the United States.

The exercise of this power of the Supreme Court of the United States has had important consequences. For instance, it is believed by many historians that the famous decision in the *Dred Scott* case, decided in 1857, which practically nullified the Missouri compromise, had a tremendous, if not controlling part, in bringing on the Civil War. Of course, the whole question which was involved in that historic decision was settled by the Civil War itself, and by the acts of Congress subsequently passed.

It may well be debated with some plausibility whether an act passed by the representatives of the people and approved by the President, should be nullified by any other agency except the people through their own chosen representatives. There are many able and sincere advocates of the idea that when the people have spoken through their legislative representatives that their will should be supreme and not subject to revision or defeat by any other branch of the Government, and various

efforts have been made by legislation, either to curb or withdraw from the courts the power over acts of Congress. But if it is to be conceded that the Constitution, with relation to Federal and State activities, must be the supreme law of the land, it is difficult to see how any, except a judicial body may pass upon the limitations set by the Constitution for the exercise of the legislative will. The exercise of this power has made it possible for Congress to enact many laws that might not otherwise have been enacted, and to adopt policies that might not otherwise have been adopted.

No man in the Constitutional Convention played a greater part than James Madison in framing the Constitution. He was known as the Father of the Constitution. To him we owe about all we know about the deliberations of the Philadelphia convention. He was present and participated in the discussions that resulted in and was partly responsible for the adoption of the sentence, "Congress shall have power to regulate commerce among the States and with foreign nations." And yet while he was President he vetoed an act of Congress appropriating money to improve rivers and harbors and build highways on the ground that the Constitution conferred no such power upon Congress. Presidents Monroe, Jackson, and James K. Polk vetoed similar legislation for similar reasons, and yet under the influence of judicial interpretation which emphasized the implied powers of Congress we have for three-quarters of a century been appropriating funds for these very purposes without amendment to the Constitution.

The Supreme Court has held that not only has Congress the power to regulate the actual transportation of an article from one State to another, but that it has the power to regulate the instrumentalities by which the article is transported. Under this power Congress not only regulates the rates charged for passengers and freight upon the railroads of the country, but it regulates the issue of securities, the construction of engines and cars, the adoption of safety appliances, the wages of employees, the hours of service, and almost everything connected with the conduct of interstate-transportation facilities.

It regulates the inspection of every steamship that plies the waters of the United States. It regulates the transmission of messages from one State to another, the flight of airplanes, and it even attempts to divide the heavens among those entitled to use them for the employment of this marvelous new instrumentality which we call the radio.

In the exercise of this power of revision over acts of Congress, the Supreme Court has not always been infallible and its decisions have been subject many times to public criticism. Especially is this true where it has invaded the field of politics or economics. The Supreme Court has on numerous occasions reversed its former decisions. There is a provision in the Constitution that prohibits any State from enacting a law interfering with the validity of a contract. It was in consequence of this decision that the famous Dartmouth College case was decided. Holding that a State could not revoke a charter which it had previously issued because it was a contract between the State and the institution. However, the rigidity of this decision was later modified, and it might be said that the case was in all intents and purposes reversed, which accords to States more liberality in dealing with private institutions in the interests of the public. One of the most interesting controversies involving the power of the Supreme Court was with reference to the famous income tax law. For nearly a hundred years the Supreme Court had held income tax laws passed by Congress as valid and constitutional. So uniform had been its attitude upon this subject that it became almost a traditional and accepted policy. Without going into the details, I may only say that in no case during all that period, according to my present memory, had such a tax been held to be illegal, except in so far as it might apply to income from real estate, but when Congress nearly 40 years ago passed an income tax law, it was held to be unconstitutional by the change of a single member of the court so as to result in a majority of five to four against the constitutionality of the law. This decision resulted in 20 years' delay in securing a constitutional amendment and the adoption of the income tax as a national policy. During that 20 years, possibly \$3,000,000,000 in taxes were escaped by those best able to pay, increasing the burden upon those least able to pay. If this decision had been in effect and no income tax amendment to the Constitution had been adopted, it is difficult to see how the World War could have been financed.

Many of the decisions of the Supreme Court, affecting the welfare and daily lives of the people, have been rendered under the fourteenth amendment to the Constitution, which provides that no State shall deprive any person of life, liberty, or property without due process of law. Of course, this amendment was adopted as a result of the Civil War and was largely intended to protect the newly liberated citizens from any legislation that might prejudice them in the enjoyment of their lives and liberties, or their property. "Due process of law" was supposed to have referred largely to matters of legal procedure, but the Supreme Court has construed this provision to include not only the protection of life and liberty, but it has been held by judicial interpretation to include legislative or executive policies that may involve the profits upon investments of public utilities organized for the service of the people. It was under this judicial interpretation of the power of the Supreme Court that the famous *Baltimore* rate case was decided, which played so

prominent a part in the discussion of the appointment and confirmation of Chief Justice Hughes, although he played no part in that case either as a judge or as an attorney. This interpretation of the Supreme Court has taken it into the field of economics and has given substance to the contention in the Senate that if the Supreme Court is to exercise the right to pass upon a case of profits and of public service and other matters involving the relationship between the people and corporations created by them, that the Senate has the right to make reasonable inquiry into the professional and economic environment, and views of those who are to exercise this tremendous power as members of the Supreme Court.

The commerce clause of the Constitution has been largely the basis for all antitrust legislation and for legislation regulating interstate common carriers. These laws have been almost uniformly upheld by the Supreme Court, and the commerce clause has been interpreted to include not only the ordinary articles of human consumption, like food and drugs, but has included almost every transaction between citizens of different States, except the issue of insurance policies upon their lives.

Congress has on at least two occasions sought to regulate the labor of children under certain ages; first, by levying a tax upon the product of such child labor, and next by prohibiting the transportation of such articles in interstate commerce. In both cases the Supreme Court nullified the acts of Congress as being unconstitutional. In effect they have held that Congress may prevent the shipment from one State to another of an article that is harmful or injurious, but that unless the article is harmful or injurious to the people, Congress can not regulate the method of its production, although it may later enter into interstate commerce. The child labor laws and the antitrust laws, and all the acts to regulate commerce, were based alike upon the commerce clause of the Constitution. It has sometimes been difficult to reconcile decisions of the Supreme Court upholding injunctions that in effect regulate the method of production of commodities that later enter into interstate commerce, with decisions of the same court denying to Congress the power to regulate such methods of production.

The Supreme Court has in almost the whole history of the country been the object of stormy controversy within its own membership, in Congress and in public and private discussions among the people. Following the Civil War, Congress reduced the number of judges from nine to seven in order to prevent a decision which it did not wish to be rendered. Later it increased the number from seven to nine in order to bring about a decision which was desired. Efforts have been made in the heat of passion to impeach members of the higher court, largely on political grounds, and it is undoubtedly true that political considerations have on many occasions dictated appointments to this great court, but I believe it can be said that in the main, in spite of controversy and political acrimony growing out of the decisions of the Supreme Court, it has established itself in the esteem of the people as a sort of balance wheel in our scheme of government.

If the Federal power is to be held supreme in any field where it may properly be exercised, it is difficult to conceive any tribunal qualified to preserve that supremacy unless it be the Supreme Court. If it may be conceived, as well it may, that Congress may transcend its authority in the passage of an act and that the President may do so in his approval of it, what other tribunal exists to pass upon such questions, except the Supreme Court? If either the Federal or State Government should attempt unjustly to deprive citizens of their rights, either of life, liberty, or property, what other tribunal should be accorded the power to prevent this injustice, except the Supreme Court? There is no other tribunal nor branch of our Government that could do so.

This, of course, presupposes that members of the Supreme Court shall not only be great legal technicians qualified to pass upon the private rights of parties to lawsuits, but that they should be statesmen as well, familiar with great questions of statecraft and public policy, able to visualize the effect of their tremendous power upon the destiny of the people for whom they speak. This does not presuppose that members of the Supreme Court should be influenced by the passing whim of any popular caprice. Neither does it mean that they should be blind to the orderly processes of progressive government nor the changing relationships existing among people and between them and their Government.

I recall vividly an instance which occurred during President Wilson's administration. The Kentucky delegation had called upon him to present the name of a distinguished Kentuckian to fill a vacancy that then existed on the Supreme Court. When we had each finished our little word of recommendation, he turned to us with this inquiry, "Gentlemen, does your candidate believe that the law grows, or does he take the legalistic view that it is finished?"

It has been one of the glorious achievements of our modern democracy that the Supreme Court of the United States, having assumed the right to exercise judicial review over legislation, has been in the main sufficiently progressive to recognize that law and government, like everything else that lives, are matters of growth and development.

Any political organization and any form or branch of government that does not recognize the fundamental necessity of keeping the agencies of government sufficiently flexible and adaptable to solve the growing and changing problems of a complex national life, will find that popular

support declining which is so necessary to infuse confidence and faith into the agencies and functions of all government.

There is, therefore, nothing strange to be found in the recent history of the Senate in the consideration of appointments to the Supreme Court. The responsibility of the Senate is a constitutional responsibility. It is a coequal responsibility with that of the Executive in first initiating the appointment, and while differences of opinion may sometimes make it unpleasant and disagreeable, it is no more possible for the Senate to escape its responsibility in this regard than it is to escape its responsibility in the enactment of legislation. No patriotic man or woman would wish that any form of legislative domination should be exercised over the highest court of the land. No one interested in the welfare of America would wish to see the Supreme Court become a shifting political appendage to any party or any régime. Neither would anyone wish that it should become the reservoir of antiquated and outworn philosophy, either as to the rights of man or as to the methods of their preservation. The exercise of the great powers with which the Supreme Court is clothed will continue to have a profound effect upon the welfare and rights of the American people, and the destiny of the Nation in the solution of its complex problems will continue to a great degree in the keeping of this great tribunal.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. BINGHAM. Mr. President, I hope we may now go on with the District appropriation bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10813) making appropriations for the government of the District of Columbia, and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

Mr. BRATTON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Deneen	Keyes	Shipstead
Ashurst	Dill	La Follette	Shortridge
Baird	Frazier	McKellar	Simmons
Barkley	Glass	McMaster	Smoot
Bingham	Glenn	McNary	Steiwer
Black	Gould	Metcalf	Stephens
Blaine	Greene	Norris	Sullivan
Blease	Hale	Oddie	Swanson
Borah	Harris	Overman	Thomas, Idaho
Bratton	Harrison	Patterson	Trammell
Brock	Hatfield	Phipps	Vanderberg
Broussard	Hawes	Pine	Wagner
Capper	Hayden	Ransdell	Walcott
Caraway	Howell	Reed	Walsh, Mass.
Connally	Johnson	Robinson, Ark.	Waterman
Couzens	Jones	Robinson, Ind.	Watson
Cutting	Kean	Schall	Wheeler
Dale	Kendrick	Sheppard	

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, a quorum is present.

Mr. BINGHAM. Mr. President, I appreciate the fact that some people are not afflicted or affected by mosquitoes. Some people can not see them and can not hear them, and the mosquitoes do not bite them. Those people are very fortunate. But there are several thousand people in Washington who are not in that class. Many of those people use the Potomac parks and other parks along the water front and go into the woods in the District area in the summer time in their hours of recreation and leisure who are affected by the mosquito nuisance. The Public Health Service made a careful study of the situation and found there were a large number of mosquitoes in a large number of districts in Washington, not merely in the lawn grass at the White House lot, as has been suggested this morning.

I made an error in reporting that there are some 9,000 man-holes. I should have said there are some 8,000 catch basins which have to be visited every eight days and oil put in them in order to prevent mosquitoes from finding breeding places.

Practically all of the large cities of the country are endeavoring to wipe out the mosquito nuisance. In Congress very recently and in the Senate we approved an appropriation for a statue to General Gorgas, who more than anyone else brought to the attention of the world the fact that the mosquito is a carrier of disease. While it is true that there are no mosquitoes in Washington, so far as I know that are capable of carrying yellow fever, yet mosquitoes of the *Anophele* variety, which carry malaria, are here present; and any time a malaria epidemic should break out there are any quantity of these mosquitoes capable of giving wide spread to the disease.

This is a very small amount of money relatively, and although it is true that the item was not considered seriously in

the House, but regarded rather as a matter of joke, I hope very much that the matter may be passed upon favorably. The committee has recommended it and it has been recommended by the Commissioners of the District. It has likewise been recommended by the Budget and is not opposed by any taxpayers at all; in fact, it is desired by them. It is reported by Colonel Grant, the very efficient head of the Public Buildings and Grounds Department of the District, that the mosquito nuisance occurs in various parts of the District. The report of the Public Health Service was such as to make the committee feel justified in advocating the amount of money contained in the amendment, which is \$5,000 less than the Budget recommended. I hope that the amendment may be adopted.

Mr. BLEASE. Mr. President, I ask permission to have the clerk read a short article, which I send to the desk.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the clerk will read.

The legislative clerk read as follows:

[From the Washington Times, Friday, May 9, 1930]

SNAKES FOUND IN RICE WINE

Tales of snakes and lizards used to assist fermentation of Chinese liquor were verified late yesterday when headquarters detectives and the police vice squad raided a Chinese herb store in the 300 block Pennsylvania Avenue NW. Among other liquors and drugs police found a 15-gallon jar of wine with a quantity of reptiles, all dead, floating around.

Moy Sheuck, 45, said to be the proprietor of the herb drug store, was charged at the first precinct with sale and possession of liquor, possession of a still, and violation of the Harrison narcotic law.

Opium-smoking paraphernalia was found in a secret compartment under the stairs, and typical mat beds and wooden pillow blocks were found on the third floor of the building.

Officers later discovered a cache of opium under the flooring of the second floor which has been valued at several hundred dollars. A 25-gallon still was located in a rear room.

Mr. BLEASE. Mr. President, I have several times called the attention of the prohibition enforcement bureau to the fact that whisky and dope are being sold within three squares of the Capitol. This is the fourth or fifth raid that has recently been made there, which verifies what I have said. I also stated that there were stills within a very short distance of the Capitol. This is the third one within the last few days—or weeks, at least—that has been found.

This work has been done by a South Carolina boy of courage and nerve. He is now a member of the prohibition force. In addition to this work, he has followed almost across the continent some Chinese murderers, men who had him marked for destruction and who killed his principal assistant. Perhaps I ought not to say what I am about to say, but, nevertheless, I do say that one of those Chinese several months ago confessed to this crime. His confession, I understand, is in the hands of the district attorney. The boy to whom I have referred has done this work on the ordinary salary allowed for such services. He is not receiving from the Prohibition Bureau nor from the Department of Justice nor from District Attorney Rover's office in the District of Columbia proper assistance and cooperation.

Notwithstanding the fact that this Chinaman has confessed in writing to this murder and made a signed confession in writing, and notwithstanding the fact that this boy followed the Chinaman from Washington to New York, ran him out of New York, and followed him to New Orleans and arrested him there and brought him back here and put him in jail, together with one of those who assisted the man who had confessed—notwithstanding that all these months have passed and these facts are known, there has been no trial of the case. American homes and American places of business in Washington have been padlocked for one offense, and yet here are these Chinese dens, these hell holes of iniquity within three squares of the Capitol—and there are three squares filled with them—and the so-called prohibition agents do not touch them. Why? One of these dens is where prohibition agents and their families were entertained and from which they viewed the Hoover parade March 4, 1929. Is it any wonder that it is not closed?

I think it is vastly more important to eliminate this condition than it is to eliminate a few mosquitoes. I think it is going a long way for the Republican Party to get off on a proposal to fight a few mosquitoes, something that amounts to very little in this country any more, and pay no attention to the conditions to which I have just referred involving these dens of iniquity. It would seem that the Republican Party is willing for these places to exist, but wants to make the taxpayers of the city put up \$65,000 to eliminate a few mosquitoes and to protect somebody. Who?

Let people build homes as they should be built, let them put in screens to protect themselves against the mosquitoes. Let them do something to protect their own homes. I think the Senator from Virginia [Mr. Glass] is entirely correct in his discussion of the subject this morning. I have been in Washington five years and never heard a mosquito sing nor have I ever been bitten by one in the five years. This is merely a matter of camouflage to get money for somebody, though I do not know who. I think it is more graft, more rake-off for somebody.

I do not care whether the amendment is agreed to or not, whether the money is appropriated or not. I am simply calling the attention of the country to the fact that this large amount of money is being asked for to fight a few mosquitoes when we have right here within calling distance of the Capitol a place where we find the destruction of human life, the destruction of manhood, the destruction of womanhood going on all the time, and not a single department of the Government, either the Department of Justice or the district attorney's office in Washington or the Prohibition Bureau doing one single thing to eliminate it.

There would not have been done what has been done if it had not been for this South Carolina boy to whom I have referred, who is honest and straightforward and clean in his work as a prohibition officer. All the support he gets is a mere newspaper report. These places are allowed to run on wide open, and when this boy makes a raid and produces the proof, the only reward he gets is a censure—a censure for having done what he believes to be his duty. He is a boy who refuses to take Chinese money to shut his mouth and not do his duty in upholding the law in reference to this situation.

Once more I am calling the attention of Government officials to the fact that they have been furnished with the proof of murder; that they have been furnished with the confession of a Chinaman to the murder, and yet nothing is done by them about it. I do not write to the Attorney General; I do not write to the President. I have very little to do with the prohibition-enforcement officers. But I am appealing on behalf of this South Carolina boy who has risked his life on more than one occasion. I am not speaking for him now. I am talking for myself only. He is afraid to tell me things he knows, and I know that he is, because he is afraid he would lose his job, and my speech now may cost him his job, but if so, it will not be for failure to perform his duty but for being honest and straightforward in the full performance of his duty.

I ask the Senate which is the most important matter to the country, to stamp out these Chinese dens here in the city of Washington or to stamp out a few mosquitoes that might hum around somebody's ear? I think if a man went down there and bought some of this snake-charm liquor, possibly when a mosquito bit him the mosquito would die instead of the man.

Mr. HATFIELD. Mr. President, I do not know whether it may be necessary to have an appropriation of \$65,000 to deal with the extermination of mosquitoes around the city of Washington, but I do know that if mosquitoes are permitted to continue unmolested they will bring about a condition which would in all probability result in the contamination of individuals with malaria.

The mosquito that usually carries malaria in this section of the country is the Anopheles. The Culex carries other forms of diseases. The Protozoa, which are responsible for the different forms of malaria which are transmitted by the mosquito to the human being, must develop in cesspools, and certain conditions must be existent in the way of protozoal growth before the mosquito can become contaminated. Through the mosquito, of course, the protozoa are transmitted to the human being, taken in through the skin, taken into the circulation, and then into the red blood cells, which is demonstrable under the microscope. A mosquito is capable of transmission of this form of specific disease which has manifestations that are unmistakable from the standpoint of the physician.

There are other conditions which the mosquito, because of its bite, can bring about—infection such as streptococci infection, or blood poison, in other words; the abrasion of the skin where bacterial growth lurks. Because of the abrasion made by the mosquito the infection can take place through this wound, and the individual may develop a malignant form of blood poisoning. So mosquitoes are capable of producing other diseases than malaria.

As I said in the beginning of this statement, it might not be necessary to appropriate \$65,000 for this purpose; I am not informed as to that; I do not know about the situation; but the statement of Doctor Fowler supports what I have said. I quote from his testimony before the House committee, as follows:

I am frank to say, gentlemen, that I can not, on that basis, as the public health officer of the District, justify the expenditure of that sum of money for getting rid of mosquitoes. They are an annoyance. The mosquito is capable of spreading malaria, if the mosquito happens to be infected with the malarial organism.

Whether or not a community will be free of malaria altogether depends upon how long the mosquito is permitted to breed and become numerous. If the battle against the mosquito is neglected, if cesspools are not watched and safeguarded, and other conditions are permitted under which the mosquito breeds and develops, there will result a bacterial growth of the protozoic type of which the mosquito seems to serve as the carrier to the human being; and under those circumstances we may expect some day an epidemic of malaria.

Mr. President, I have felt that I should make this point in justice to those who have recommended the appropriation, and to say that I feel the Senate should give the subject some consideration, and, indeed, should vote to make an appropriation. As I have said, whether the appropriation should be \$65,000 or a less amount, of course, should be determined according to the efforts necessary to prevent the development and spread of the mosquito population in and around the city of Washington.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

Mr. CARAWAY. Mr. President, I wish to call the attention of the Senator in charge of the bill to an amendment which I desire to offer on page 8, if he will permit us now to return to that page. I refer to an item in line 7, on page 8, under the title of "Trees and parking department." At that point I offer the following amendment, if I may:

Provided, That no deduction from the salary of the superintendent of trees and parking for house rent shall be made.

Mr. BINGHAM. Mr. President, I have no objection to that amendment.

Mr. CARAWAY. I should very much like, then, to have permission to have the amendment offered and considered now and go to conference.

The PRESIDING OFFICER. In the opinion of the Chair, it will be necessary to reconsider the action taken agreeing to the amendment on page 8, line 7. Without objection, the vote whereby the amendment was agreed to is reconsidered.

Mr. CARAWAY. Mr. President, the Senator in charge of the bill says that he has no objection to the amendment offered by me to the amendment which has now been reconsidered.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arkansas to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CARAWAY. I thank the Senator from Connecticut.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was on page 38, line 20, to increase the appropriation for personal services for the collection and disposal of refuse from \$142,260 to \$143,380.

The amendment was agreed to.

The next amendment was, on page 40, line 2, to increase the appropriation for personal services under the heading "Public playgrounds" from \$113,180 to \$115,220.

The amendment was agreed to.

The next amendment was, on page 41, line 7, to increase the appropriation for personal services under the electrical department from \$130,520 to \$132,520.

The amendment was agreed to.

The next amendment was, under the heading "Electrical department," on page 43, after line 3, to strike out:

For the purpose of making a study of the power needs of the District of Columbia with a view to establishing a municipally owned and operated service therefor, including the employment, by contract or otherwise, of such expert and other personal services as shall be approved by the commissioners, without reference to the classification act of 1923, as amended, and necessary incidental expenses, \$25,000.

Mr. NORRIS. Mr. President, on that amendment I want to be heard. The House inserted this language in the bill:

For the purpose of making a study of the power needs of the District of Columbia with a view to establishing a municipally owned and operated service therefor, including the employment, by contract or otherwise, of such expert and other personal services as shall be approved by the commissioners, without reference to the classification act of 1923, as amended, and necessary incidental expenses, \$25,000.

The Committee on Appropriations proposes to strike out that language.

Mr. BINGHAM. Mr. President, will the Senator permit an interruption?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. NORRIS. Yes.

Mr. BINGHAM. I merely wish to state the situation with regard to this item. There were no hearings held in the House; the House committee gave no reason in their report for putting the item in the bill other than to say that they had inserted in the bill a provision making an appropriation for it. We asked the engineer assistant of the Public Utilities Commission what the attitude of the Public Utilities Commission was toward this matter, and he said it had not been brought to their attention and they had taken no action upon it. It was not recommended by the Budget Bureau or by the District Commissioners, and no one of the citizens' organizations nor any citizen asked for it, and, therefore, the committee struck it out.

Mr. NORRIS. All the Senator has said is, I presume, true; but the House committee, probably having in view the question that has been agitated for 20 years in the Capital City, the development by the Government or by the District of a project for the production and distribution of electricity, thought they knew enough about it to put it in the bill without any hearings.

The amendment provides for an investigation, which, from what the Senator has said, may be made, if the item shall be retained in the bill, by those unfriendly to the project. I do not know how that may be. It may be that from the investigation, if the item shall be permitted to remain in the bill, conclusions will be drawn favorable to private interests and to the Power Trust. I realize that; and yet, Mr. President, for more than 20 years we have been debating back and forth a project for the production and distribution of electricity in this city. Usually the question has been connected with the Great Falls of the Potomac River, where almost within sight of the dome of the Capitol there is water enough tumbling down over the rocks to turn every wheel in this District, to light every home, to operate every street car, and to light every street.

When I was a Member of the House of Representatives, Congress appropriated \$20,000 for the purpose of making a study of that question. The study was made by an Army engineer and he made a favorable report. Later on when I came to the Senate there was passed by this body a bill directing the Secretary of War to develop Great Falls. That bill, however, failed in the House of Representatives. Later on another proposition came up in the Senate to develop Great Falls and was passed. Again the House of Representatives rejected the Senate proposal, but the matter went into conference, and as a matter of compromise the conference committee reported a provision providing for another investigation because of the long time which had elapsed since the first report, which was favorable and which had recommended the development of the Great Falls of the Potomac River. So the bill in that shape became a law, and again the War Department was authorized and directed to make an investigation of the power possibilities of Great Falls. That investigation was made by Major Tyler and the recommendation was favorable. That investigation was more elaborate than any other that had ever been made.

The weak point in power development in the Potomac River at Great Falls is the great variation between high and low water. The report of Major Tyler, however, recommended the building of storage dams for storing up the flood waters of the Potomac River and letting them out during low water. It further showed that there could be a large development of electricity at Great Falls. I have forgotten now the amount of primary power that the Tyler report showed could be developed, but it was much larger than could have been developed without provision for storage dams to hold back flood waters. It was also shown that there could be a large development of secondary power, and Major Tyler recommended that such power be developed.

When the Tyler report was submitted, before it was printed, when advance sheets from the Public Printer had been obtained by me, I offered an amendment to a bill then pending in the Senate, and again the Senate went on record in favor of the development of that power. Again the measure went to the House of Representatives and again that body rejected it and the proposed legislation failed. I think we have passed a similar measure once since then, but again it failed in the House of Representatives.

Now comes a proposition from the other House again to study this matter. So far as I am personally concerned, and, I think, so far as anyone would be concerned who has studied the matter, another investigation is unnecessary, although the Tyler report is now 8 or 9 years old. Nevertheless, Mr. President, since the

House has rejected the bills which have been passed by the Senate at various times during the last 10 or 12 years, it seems to me the Senate, if it still believes that this development should take place, should look kindly and favorably upon any action that the House may take in regard to the project.

It is true that Great Falls is not referred to in the provision now before us, but I think any careful and thorough investigation would include Great Falls.

Mr. President, I think the reasons stated ought to be sufficient to cause the Senate to reject the amendment of the committee which proposes to strike out the provision adopted by the House.

It may not accomplish anything. It may be another investigation that will be cast aside again; but the evidence has been piling up for 10 years in favor of the development of Great Falls. The only evidence that the committee took on the subject was the testimony of the president of the Potomac Electric Power Co. They, of course, are opposed to it. I am finding no fault with them. They are taking an attitude that all power men take. They are opposed to municipal ownership.

But, Mr. President, this matter is of national importance. It couples up very directly with the investigation that has been going on for more than a year by the Federal Trade Commission. When we commenced the debate on Muscle Shoals, the charges were made often on the floor of the Senate that there was developing and forming a great national power trust with the object of grasping into its hands all the natural power facilities of the United States. We were laughed at; we were scoffed at; but finally a resolution was introduced, and that resolution directed an investigation to be made by the Federal Trade Commission. It was a resolution that I myself introduced. A legal question arose. The Federal Trade Commission, rather unfriendly, secured legal advice—the advice of an attorney who was unfriendly, the Attorney General of the United States—that the resolution called upon them to do something they had no authority under the law to do; and in the main the object of that resolution was lost.

Again a resolution was introduced, much the same in a little different language, providing for an investigation by a Senate committee. That resolution was introduced by the Senator from Montana [Mr. WALSH]. It went to the Committee on Interstate and Foreign Commerce. It was debated very thoroughly and fought desperately before that committee. The Senate will remember the eminent attorneys who appeared in favor of the Power Trust to defeat that resolution. As a matter of fact, as it finally passed the Senate, directing this investigation, it directed that it should be made by the Federal Trade Commission instead of by a committee of the Senate, and for a year or two that investigation has been going on; and every charge that was ever made on the floor of the Senate by me or by anyone else, has been fully vindicated by the exposures that have taken place almost daily in that investigation.

The most startling and shocking things have been disclosed; and they have been disclosed from the evidence of the power people themselves—how they have gone into lodges, secret societies, women's clubs, churches, organizations of all kinds; how they have spread their money all over the United States in lodges, in political campaigns, where governors were to be elected, where members of the legislature were to be elected, where members of State commissions having to do with the control and the development and distribution of electricity were to be elected. They have not missed a school board. They have gone everywhere. That is public property. Everybody knows of the disgraceful, disgraceful story that has been coming out daily from that investigation.

Finally, the commission undertook to investigate the financial set-up of this gigantic trust. In the main the finances have come about in various ways, but to a great extent through the operations of the Electric Bond & Share Co. of New York, a holding company. They are investigating that now, having to do with the finances and the financial manipulation of this great trust. They were met at once with court procedure, and the decision of the court in part, at least, was against the commission; so they have been very greatly handicapped in getting the facts; but they have succeeded in getting a great deal of information of very great importance, notwithstanding the handicap of the decision of the Federal courts.

I want to read, to give the Senate an idea of what has been disclosed, an editorial that appeared in the Washington News of April 22, 1930, entitled "New World Power":

Just a little while ago we thought of utility-company regulation as a problem for local governments to handle.

Now, before we have fully grasped the significance of great holding companies, reaching across the Nation and laughing at State commissions, before the Federal Government has learned how to deal with them, this growth of utilities has become a world problem.

Electric Bond & Share, Goliath of the holding companies, is an international holding company, the Federal Trade Commission has disclosed. It reaches into 12 foreign countries. From Shanghai to New York, from Montana to the Argentine, its wires and its power extend.

It is not remarkable that this company has played a leading part in organizing a world power conference, which meets in Berlin next June. Even the phrase "world power" has taken on a new meaning in the last few years. It refers now to the utility-company product.

It is not unthinkable that world power in the new sense and world power in its older meaning may come to be identical. That possibility calls for serious consideration. Beside it and its potentialities for shaping world history, such problems as prohibition are nursery prattle. The need to understand what is happening to us and what may happen to us because of electric power calls for the best thinking men can do.

Mr. Ramsay, a newspaper writer who has written a great deal about the developments disclosed by the investigation of the Federal Trade Commission, has given a short synopsis of some of the testimony that is now being developed by the Federal Trade Commission.

On May 7, 1930, Mr. Ramsay wrote:

An ingenious network of fees for "milking" electric and gas consumers, which piled up nearly \$2,000,000 of charges in a single power system in one year, was investigated by the Federal Trade Commission yesterday.

All the fees were imposed directly or indirectly by the Electric Bond & Share Co., testimony showed. They were paid by subsidiaries of the American Power & Light Co., one of the three great subholding companies controlled and supervised by Bond & Share.

214 PER CENT PROFIT

The profit on the fees as a whole, in the absence of exact cost figures Bond & Share has withheld, was estimated at 106 to 214 per cent.

Farther on Mr. Ramsay says—and this is quoted from the testimony—

"Water" pumped into the American system, through "write ups" of the capital of five of its subsidiary companies, was stated as \$68,448,000, or 124 per cent of the amount of their capital before the "write ups."

The companies were listed by Lundvall as Kansas Gas & Electric, Texas Power & Light, Nebraska Power, Minnesota Power & Light, and Florida Power & Light.

Properties grouped under Electric Power & Light when it was formed in 1925 were put on the books at over eight times the value at which they had been carried on the books of the old Utah Securities Corporation, Kenneth A. Miller, commission accountant, testified.

The figures were boosted from \$3,854,000 to \$33,373,000. Bond & Share controlled both corporations. Additional properties Electric Power & Light acquired from Bond & Share were "written up" \$12,102,000.

That is high finance, Mr. President. We have had chemists in the past working for years and years to devise some way to invent a method by which they could make gold, synthetic gold. These Power Trust officials have beaten the chemists to it. They have made hundreds of millions of gold out of water—nothing but water. It does not even have to be clean water. It usually is muddy, dirty water. But they are making gold out of water daily; and the consumers of light and power—the little fellow who reads his newspaper by electric light, the washerwoman who uses electricity to wash the clothes, the big manufacturer who consumes hundreds of thousands of horsepower in the manufacture of all the things that the American people use, and the miner who operates the coal mines—all of them are contributing their part to the great operation of the Power Trust of converting water into pure yellow gold; and we sit idly by!

As this editorial said, other questions sink into insignificance compared with what is going on right now.

On May 8—that was only yesterday—Mr. Ramsay reviewed again what was disclosed in a day's operations down here by the Federal Trade Commission. He said, among other things:

The Electric Bond & Share Co. took a \$4,703,000 cash profit on its formation of the Electric Power & Light Corporation, and also reduced its investment by \$26,000,000, it was testified before the Federal Trade Commission yesterday.

Kenneth A. Miller, commission examiner, told the commission:

"This was accomplished without impairing its control of the properties grouped under Electric Power & Light."

ACQUIRED AT NO COST

"The Utah Securities Corporation, predecessor of Electric Power & Light, had been controlled by Bond & Share since its organization in 1912," Miller said. Part of the controlling stock had been acquired at no cost in an early deal.

Bond & Share organized Electric Power & Light in 1925, Miller testified, and passed to it the securities in underlying companies. The value assigned to them was arbitrarily increased by \$42,000,000.

Think of it, Senators! Think of it, you electric light users! Think of it, you manufacturers, who are here trying to get a tariff so that you can make a profit, and one of the reasons you give, as I shall show, is that power costs you so much in this country. You are paying tribute to this trust. All your customers are paying tribute to this trust. You are contributing your share in changing water into gold for the greatest trust in the civilized world.

To guard against a seizure of control by outsiders, clauses have been written into the by-laws giving the directors the right to retire selected blocks of preferred stock at will, and to issue additional common stock at will, and to whom they please.

Think of that! In order to prevent the people from buying on the market any of the stock of these companies, and getting control, they have a by-law providing that the officials of this institution, this great trust, can at will cancel any stock; when they find stock in the hands of unfriendly people, they can simply cancel it. The same by-laws give them authority to issue more stock in lieu of that stock to whom they please. They can issue it to their friends or to themselves. They have made their control complete.

I do not believe anywhere in civilization there are such ruthless methods adopted to maintain control of a necessity of life, and to levy a tribute upon all the people of the country, as the control which this trust has in its grasp.

"The 'preemptive right' of existing stockholders to subscribe to new stock issues is set aside," Miller said.

"Certain of the bond and share utility properties that passed to the old Utah Securities Corporation were transferred by it to the Utah Power & Light Co. They had cost Bond & Share, \$6,437,000. Within three months," Miller said, "They appeared on the Utah Power & Light books capitalized at \$30,000,000."

Some more water converted into gold! Six million four hundred and thirty-seven thousand dollars converted into \$30,000,000! That is legerdemain which defies all of the tricks of the trade, which beats all of the chemists, all of the Indian fakirs, and all of the slight-of-hand performers who have ever lived. These fellows take everything. They hold everything they take.

Again, in a report made May 9 by Mr. Ramsey, we find this:

The inside story of three southwestern mergers that boosted power companies' capital \$27,000,000, and virtually assured a similar increase in their valuations upon which consumers must pay rates, was told the Federal Trade Commission yesterday.

In every case the power properties passed from the Electric Bond & Share Co.'s left hand to its right hand, but by steps so intricate that the commission spent four hours retracing them.

They take the stock with their right hand and put it into the left hand by a very circuitous route, but when it gets over into the other hand it is doubled, trebled, quadrupled, or, perhaps, multiplied by ten in value, and you and I are making that possible.

All citizens of the United States are contributing, whether they are big manufacturers or whether they are little laboring men, whether they are students working their way through college, reading by electric light, or whether they are farmers in the country. We all contribute; we all make this possible.

This is private ownership. This is private initiative. This is what we hear Senators here boasting of whenever anything is said about municipal ownership or public ownership. Here is the blessed private initiative which does not know much, necessarily, about electricity, but which knows how to manipulate figures, which knows how to convert water into gold.

One group of power and utility properties—

It was developed down here on the 8th day of May—

was brought up in Mississippi and tied together as the Mississippi River & Light Co. Together they represented a value, as shown on the books of the old companies—

That is, putting their own value on it—
of \$9,726,000.

The new company listed them at \$20,441,000.

They picked them up, took them at their own valuation, which God knows was big enough, and when they put them together they were capitalized at over \$20,000,000—more than two dollars for every one.

Values of the companies that became the Louisiana Power & Light Co. were stepped up from \$9,190,000 to \$19,267,000, and those that went into the Arkansas Power & Light Co. from \$30,301,000 to \$37,273,000.

I can hardly see how they increased that value by only \$7,000,000. They must have had a twinge of conscience. Something must have come across their dreams. They converted \$30,000,000 into only \$37,000,000. Why they did not make it \$60,000,000 is more than I can understand. That may come out later.

All three companies are of the "operating" class that sell electricity directly to consumers, making their capital and their securities important in fixing rates.

The "cost" of the properties to the new companies, an element in fixing their valuations, also would appear large. All of them passed to the new companies through L. Boyd Hatch, a "dummy," for \$70,520,000.

In this operation of converting water into gold, in this case, they used a dummy. It went in on one side and came out on the other, water made into gold.

Contrasting figures, which do not appear on the books of the new companies, were dug out by Miller in the face of Bond & Share's refusal to surrender many of the records.

The total cost of all to Bond & Share was stated by Miller as \$52,425,000, showing a profit on the three turnovers of \$18,094,000.

Mr. President, this evidence is coming out every day. Probably more of it will come out to-day. It is the same old story going on all over the United States, this great holding company converting water into gold, burdening not only the present generation but future generations, and where do they get it? They get it from the streams, they get it from falling water, they get it from public streams, they get it from every stream that flows down the mountain side, which God in his wisdom intended for you and for me and for our children. It is turned over daily to these manipulators of stock and bonds, profits of millions and millions and millions, upon which returns must be paid not only now but through all time.

I wonder why the manufacturers of our country, who are paying a great share of this burden, and who are anxious to get cheap power, do not open their eyes and realize what is possible in the development of our streams and the other natural resources of our country, because we have an illustration just across the border showing what can be done.

Before I take up that phase of the matter, Mr. President, since the hour is getting late I will not read the article I have in my hand, but I am going to insert it in the RECORD. It is the story of a man who has been in the business, who tells in plain language just what is done and how it is done, how the people are fooled, how water is converted into gold. In order that Senators may understand it, I will read his letter to me. He says to me in this letter:

I am sending you under separate cover an article on Superpower which I wrote with the idea of sending it to a magazine. I have concluded to send it to you instead.

I used to be in the utility game but dropped out of it because with my temperament I couldn't have stayed in it and stayed out of the penitentiary. I have nothing, therefore, to conceal, and you can rest assured that it is a fairly accurate picture of how the game is played. And it is written to cover practically every State in the Union—

Although he takes Illinois as an example. In this article he tells a story of just how the little municipalities are combined into a big one, and then into a bigger one, and then combined again into a bigger one, and how they are controlled by a holding company, and another holding company holding some others, and then they form another holding company to hold the holding company, and then they form another holding company to hold the holding companies that are holding the holding companies that are holding the subsidiary companies. So eventually they will get to one great big holding company, which, if this business is continued, if it is not stopped in some way, will eventually put all the control into one company, headed by one man, who will control the electricity and the power all over the United States.

This writer says further:

I take the State of Illinois as my example because Illinois was my stamping ground. I dabbled in franchises over there, built, promoted, controlled, and operated a few of the smaller utilities and have been before the State commission a good many times, both aggressively and defensively. I came finally to regard the game as the biggest steal of the century and dropped out of it.

There is some more of the letter, Mr. President, but it is all personal and has relation to me, and I will not read it.

Mr. HATFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from West Virginia?

Mr. NORRIS. I yield.

Mr. HATFIELD. Is the Senator familiar with the admonition given to the American people by President Roosevelt in 1908?

Mr. NORRIS. Yes; I am somewhat familiar with it; but if the Senator has it there, I would be glad to yield to him to enable him to read it.

Mr. HATFIELD. I shall be pleased to read it.

Mr. NORRIS. First, let me say that this letter and article were written by Mr. C. P. Baldwin. I ask unanimous consent that they may be printed as a part of my remarks, at the close of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit A.)

Mr. NORRIS. Now I am glad to yield to the Senator from West Virginia.

Mr. HATFIELD. President Theodore Roosevelt in 1908 gave an interview in the way of an admonition to the American people, and I quote from that interview as follows:

The people of the country are threatened by a monopoly far more powerful, because in far closer touch with their domestic and industrial life, than anything known to our experience. They find themselves face to face with powerful interests entrenched behind the doctrine of vested rights, and strengthened by every defense that money can buy, and the ingenuity of able corporation lawyers. The great corporations are acting with a foresight, singleness of purpose, and vigor to control the water powers of the country. I esteem it my duty to use every endeavor to prevent this growing monopoly, the most threatening which has ever appeared, from being fastened upon the people of this Nation.

Mr. NORRIS. That was written in 1908, I believe?

Mr. HATFIELD. Yes; in 1908.

Mr. NORRIS. I want to take this occasion to thank the Senator from West Virginia for interrupting me and putting that in the RECORD at this point. It certainly is very appropriate.

Mr. HATFIELD. Does the Senator know that the minimum flow of our rivers is capable of producing 35,000,000 horsepower?

Mr. NORRIS. I understand that is about it, if it were all developed.

Mr. HATFIELD. And by the establishment of dams that 35,000,000 can be multiplied by 5.

Mr. NORRIS. Yes; that is, dams to hold back the flood water. Again I thank the Senator.

Mr. President, I have had something to say about the manufacturers. I want to say a little about power now as distinguished from light. Some time ago we passed the Muscle Shoals bill. We passed it for the second time practically in the same form in which it passed the Senate of a former Congress, at which time it also passed the House of Representatives. It is now in the House of Representatives before one of its committees, and I understand is to be rejected, although the House on a former occasion passed it in practically the same form in which it is before that committee now.

It refers to a part of our country having wonderful possibilities. It makes possible the greatest development of power, flood control, navigation, that has ever been put into any one bill that ever passed the Congress or ever became a law. If it becomes a law it will be the means of furnishing a yardstick in the great South of our country. Its influence will extend far beyond the transmission lines which carry its power out from 200 to 300 miles. The people will be able to cite it as an example of what can be done if the rivers and streams of our country are utilized as God intended they should be for the benefit of the people.

Every man in the State of Tennessee who is in the manufacturing business, I care not what it may be, ought to be, and if he understood the situation aright I think would be, deeply interested in the enactment of the law. That is true of every manufacturer in Alabama and in all the South, and to a less degree in the entire Nation, because that development will be cited as an example, as a yardstick of the possibilities, if we keep in the hands of the people the right and the title to this great possibility for power that God gave us in our natural resources.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Tennessee?

Mr. NORRIS. I yield.

Mr. McKELLAR. I agree entirely with what the Senator said. The Senator knows we did everything in the world to pass the bill through the Senate. I want to say that the recent surveys made of the Tennessee River show probably 5,000,000 horsepower on that river alone and probably 3,000,000 horsepower on the Cumberland River which runs through the Cumberland Mountains. I want to thank the Senator from Nebraska

at this time for the statements he has made about the wonderful power possibilities in the State of Tennessee, my home State, and say to him that in my judgment he is entirely correct about it. I believe the manufacturers as well as the rest of the people of my State are awakening to the true importance of the wonderful power possibilities which we have in that State and the proper method of developing them.

Mr. NORRIS. Mr. President, before I get through I am going to show what Government development means where it has been undertaken on a scale compared with what would be undertaken in the South if the House would pass the bill and the President would sign it as it passed the Senate. That measure is modeled after the law in Ontario, Canada, as nearly as we could follow it. Keeping in mind the difference in conditions between this country and Ontario, the same things that have been done over in Ontario can be done in Tennessee, Alabama, Mississippi, and Georgia if the bill which the Senate has passed shall be acted upon favorably by the House and signed by the President. I am going to prove that.

I have shown the manipulation that has been going on, that is going on now, in the combination of small utility companies into huge companies where always the levy is made greater by increasing the capitalization, increasing by fictitious means the valuations upon which the people of the country are charged rates, whether they are consumers of light or users of power.

Mr. President, many times I have discussed, so I am not going to refer to it at length again, the method by which the Power Trust has gone over into Canada through certain writers, who have written in their behalf magazine articles and books. I have shown how they have lied about the situation; how it has been developed since before the Federal Trade Commission that they have been paid by the Power Trust to go over into Canada and write books and newspaper and magazine articles, always finding some way and method to criticize and condemn public ownership as compared with private development over here in the United States.

Finally after denying it for several years the writers employed by the Power Trust—secretly employed, and secretly paid—had to admit and did admit that for electric light the consumers of electricity furnished by Government-owned utilities in Ontario were charged a less price than is charged over here. But they said, "Over there they make it up on the power; they charge more for power in Ontario than they do here." That is what Wyer said who went over there and claimed to be a representative of the Government of the United States, as I shall show at a future time. He went over there and held himself out to be a representative of this Government in order to be treated properly. They treated him so. Then he went away and lied about the Ontario development, as I shall show when I take up that question at a later day and as I have already shown. Nobody knew then, when he came with his books and his articles, which were spread broadcast over the United States, that he was in the employ of the Power Trust, although I always suspected it. But when the Federal Trade Commission got to investigating they discovered that he was paid for everything he did by the Power Trust. Every manufacturer in Tennessee, Nebraska, New York, and other places who uses electricity, and everyone in every home who reads by electricity, every woman who washes clothes or cooks a meal by electricity, contributes to that writer, to that secret payment that was made to him in order to enable him to go over to Ontario pretending to be a representative of the Government of the United States in order to distort and to conceal the truth and to spread falsehoods.

Senators, we are levying tariffs now on a good many articles because our power people have to pay more for power than they do just across the line. Here is the cry now. The Nation's Business published it and sent out by the hundreds of thousands the statement that power is cheaper in the United States than it is over there. Let us see whether it is or not.

The Chamber of Commerce of Niagara Falls, during the consideration of the tariff bill—not the present one but a previous one—appeared before the Finance Committee of the Senate. What for? To get an increase in tariff on the things they manufacture. Let me read from their written brief filed with the committee of the Senate. I quote from it the very argument advanced, namely:

That these are important industries which should be protected by enabling them to obtain at a reasonable figure cyanide salts, is answered by the fact which is known to all and to which we have adverted heretofore, viz, that if a duty is not levied upon this product it will not be and can not be manufactured in this country, and these industries would then be at the mercy of the foreign manufacturer, who unquestionably would place the price at a higher figure than it would be placed if there was domestic competition; and furthermore, in the event of any condition which would cut off importation of these products after the destruc-

tion of the business here, these interests would be most seriously affected, and in a time of war we would be deprived of the use of this material, which had become most important in the hardening of steel and which was required in greater quantities by the Government in the preparation of a deadly gas which was about to be used at the time of the signing of the armistice, so that it appears clearly that by a destruction of this business in this city—

That was Niagara Falls—

the Nation would suffer greatly in time of peace but even more in time of war. * * * Large units of power are consumed in the manufacture of this product, and the cost of power is a very important item in its manufacture; and partly as the result of our treaty arrangements with Great Britain and partly as a result of the wisdom of the Canadian Government in the handling of its power matters, the Canadian manufacturer gets his power at approximately one-half of what the American manufacturer on this side of the river has to pay for power.

The brief goes on to say:

He—

That is, the Canadian manufacturer—

is therefore able to undersell the American in the American market and the American can not compete in the Canadian market.

Going on further, the brief says:

Particularly in the interests of this city—

That is Niagara Falls—

and of the State—

That is, New York State—

and Nation, we are urging the importance of an import duty upon all cyanide salts in an amount sufficient to equalize the difference in cost of production between this country and the foreign country producing the same the cheapest.

Mr. President, it can not be said in that instance that on one side of the Niagara River coal was used and on the other side water power. At Niagara Falls, N. Y., and Niagara Falls, Canada, power comes from the same river, comes from the same water. On the American side the manufacturers said, "We will go out of business unless you levy a tariff that will make up the difference between what we pay for power and what the Canadian manufacturer has to pay for power." Two manufacturing plants use power derived from the same river, the same stream; the two plants are in plain sight of each other; but the one on the American side says in this brief to the Finance Committee that the Canadian gets his power 50 per cent cheaper than does the American plant.

Those are not my figures; I do not say that; that is what the great Chamber of Commerce of the City of Niagara Falls says when pleading for a tariff, because American manufacturers have to pay twice as much for power as do Canadian manufacturers. Does that look as though the Hydro Commission of Canada was charging more for power in Canada than are the privately owned companies charging here? That is not all.

Later than that, during the consideration by the Ways and Means Committee of the House of Representatives of the tariff bill which we still have on our hands, there was filed in that committee a brief on behalf of the National Sand and Gravel Association asking for a tariff on their product. In that brief they say:

Power: The power used in land pits by the Ontario manufacturers is supplied by a publicly owned hydroelectric power commission known as the Ontario Hydroelectric Power Commission. This power is manufactured from natural water-power resources and is supplied to the public approximately at cost. The power necessary to the operation of the American plant is obtained from private corporations operating at a profit, which must produce their power from coal and other high-priced fuels.

Of course, it is true that much of the product is produced by water power; that which comes in competition with the Canadian product is pretty nearly all produced by water power from the same river, from the same stream.

This brief says further:

The consequence is that the cost of power to the Ontario manufacturer is approximately 60 per cent of the cost of power to the American manufacturer.

That is big business speaking when its representatives were pleading for a tariff; but when we are trying to develop Great Falls, when we are trying to develop Muscle Shoals, and give the people cheap power such as the people of Ontario, Canada, get, they take the other side of the question, and say, "Oh, that is putting the Government into business." Yet they can not compete with similar products manufactured by citizens of that

country, and they know it; they admit it when they come here and seek an increased tariff in order to be protected. So the consumers are caught two ways; the manufacturers have to pay more for power, and then they come to Congress and ask to have a tariff levied upon their products, which is paid by all the consumers of the United States.

How long, oh, my God, how long, is Congress going to submit to that kind of domination? Can it be possible under those circumstances, after we have put from one hundred and twenty-five to one hundred and forty million dollars of Government money into Muscle Shoals that we are going to lie down to this propaganda and turn that property over to the Power Trust? Can it be possible that we have a President of the United States who will ask us to do it?

I was informed to-day or yesterday that Chester Gray went to see the President about Muscle Shoals and to condemn the bill which was passed by the Senate. Chester Gray, the man who has been exposed by the lobby committee, the man who has been exposed on the floor of the Senate, the man who backed a bill so bad that he could not even get a Senator to introduce it, and who is known now to misrepresent the men whom he claims to represent, goes to the White House, enters into the holy of holies, and tells the President of the United States what to do. O my God, it does not seem possible!

Mr. President, I have had two charts placed on the wall. They were prepared for me by Mr. Judson King, executive secretary of the National Popular Government League. This chart [indicating], as Senators will notice, refers only to industrial power and not to power produced for domestic purposes such as lighting. The second chart refers to power produced for those purposes. The black lines represent the cost of power in the United States, while the red lines indicate the cost of power in Ontario, Canada. Mr. King secured his figures from two sources. The figures as to the price of American power were obtained from the Electric World of January 4, 1930. Everyone knows that the Electric World is not in favor of public ownership and development of power. Those responsible for that publication believe that we should continue to let private interests have control of the natural resources of the country. So the figures in this instance are taken from a hostile source. The figures in relation to the cost of power in Ontario, represented by the red lines, are taken from the official bulletin for September, 1929, of the Hydroelectric Power Commission of Canada.

Mr. WALCOTT. Mr. President may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Connecticut?

Mr. NORRIS. I yield.

Mr. WALCOTT. Does the cost of industrial power mean the cost to the producer or the cost to the consumer?

Mr. NORRIS. It means the cost to the consumer.

Mr. WALCOTT. I thank the Senator.

Mr. NORRIS. In all cases the figures given represent the cost to the consumer.

It will be noticed that in 1925 power in the United States, according to the figures given by the Electrical World, cost 11.5 mills. Senators will observe the figures are in mills and not cents, though they may easily be reduced to cents by moving the decimal point. During that same year the manufacturers of Ontario, Canada, paid 6.1 mills. The Chamber of Commerce of Niagara Falls was not far wrong. They said that in 1925 power on the American side of the Niagara River cost twice as much as on the Canadian side. The difference was very nearly that; the cost was split in two on the Canadian side. Why must that be? Is it any wonder that there should be such a difference when there are considered the manipulations, the cost which the Power Trust has been obliged to meet in order to carry on their national, yes, their world-wide propaganda; when it is considered that they have had to spend money in order to secure the favor of officials all the way from the top of the Government down to the very bottom? I do not mean now that they have bought any officials; I mean that they have spent money in order to influence them, sometimes in elections, sometimes after elections, and in the building up of a sentiment favorable to their ideas.

In 1926 power in the United States, according to the Electrical World, cost 12.3 mills. What did it cost during that year in Ontario, Canada? It cost 6 mills, or less than half the American cost. So if the Chamber of Commerce of Niagara Falls was referring to 1926 it was correct in its statement, for it cost twice as much for power on this side as it did on the Canadian side during that year. In 1927 power in the United States cost 13.5 mills, while in Ontario it cost 6.2 mills, or less than half the cost on the American side. In 1928 it cost 13.4 mills in the United States and only 6 mills in Ontario, or considerably less than half the cost in the United States. Let the

manufacturers of Tennessee and of Alabama and Mississippi and of all the Southern States look at that chart; let them look at the picture; if they will not stop to read what I say, let them look at the illustration and see what it means to have high-priced power as against the cheap power. We have the resources, and there is no reason why we should not develop them as well as Canada should develop hers.

Before I refer to the cost of electricity used for domestic purposes, such as lighting, I want to finish up on the question of power.

Mr. FRAZIER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from North Dakota?

Mr. NORRIS. Yes.

Mr. FRAZIER. At Muscle Shoals, as I understand, the Government is generating electric power and selling it cheaper than it is being sold in Ontario?

Mr. NORRIS. Yes; the Government is selling it for 2 mills a kilowatt-hour, as I understand, and Florence and other cities in plain sight of the great dam can not get it because it is sold to the Alabama Power Co.

Mr. FRAZIER. The excuse, as I understand, is that the Alabama Power Co. is the only company that owns a transmission line down there.

Mr. NORRIS. Another transmission line is being built there from Tennessee now, but it is true that at present the Alabama Power Co. has the only transmission line. However, to reach Florence, Ala., it will be necessary to build only a very short transmission line, for Florence is so near that dam that one in Florence can almost hear the water as it tumbles over the dam, and can almost see it.

Mr. McKELLAR. Mr. President, in that connection, while the Government is selling that power to the Alabama Power Co. at 2 mills, which is one-fifth of a cent, the Alabama Power Co. is reselling for lighting purposes the power in the immediate vicinity of the dam at 10 cents, which I believe figures something like 8,500 per cent spread. I figured it out some time ago, and I think it is something like that.

Mr. NORRIS. I thank the Senator.

Now, let me finish up with this power, and then I will take up the domestic lighting.

I have just given you a comparison between the cost of power in the United States and the cost of power in Ontario. I want to call your attention to this fact: In the statistics given for the United States there are included all the municipally owned plants in the United States. They sell power very, very much below the privately owned power plants, as I shall show; so that included in these black lines showing the cost of power in the United States there is some public power, like that of Tacoma, Seattle, Los Angeles, and so forth. If they were omitted, and only private companies included, this black line would be longer in every case.

Mr. President, I ask that these charts and explanatory data may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The charts will be published at the end of Mr. NORRIS's speech.)

Mr. NORRIS. I have in my hand a bill for electricity. It is the original bill. It is not a copy; it is the bill itself, receipted by the Alabama Power Co. It is a bill for the Florence Wagon Works, of Florence, Ala. They buy power from the Alabama Power Co. That is within sight of the Muscle Shoals Dam. They buy their power, and are compelled to buy it, from the Alabama Power Co., a privately owned power company, a part of the great, gigantic Power Trust of the United States. They consumed during the month of August, 1929, 12,700 kilowatt-hours of electricity. Here is a bill in their figures, except these notations at the bottom, which were made by me. Here is an original bill coming from the Alabama Power Co., on their form, itemized and figured up, amounting to \$322 for that month.

Now, just keep those figures in mind. This is power, not light—\$322 for the power consumed by the Florence Wagon Works, of Florence, Ala., during the month of August, 1929.

Mr. Judson King took this bill and sent it to quite a number of municipalities where they have publicly owned electrical development. Now, I want you to compare them. He sent this bill to these publicly owned municipal plants and had them figure what they would charge for the same amount of electricity; and I have here in detail the replies he received, every one of them. Let me read you what the result is.

For this much electricity the Alabama Power Co., at Florence, Ala., charged \$322.

At Jacksonville, Fla., the people own their electric-light plant. They figured this bill, and their charge for the same amount of electricity, the same kind of electricity, the same kind of power

would have been \$245.25—a saving in favor of the publicly owned plant at Jacksonville for one month of \$76.75.

That is where our tariff has to go. That \$76.75 is the contribution of that one corporation for that one month toward the wonderful propaganda activities of the Power Trust.

Mr. King sent the same bill to Springfield, Ill. Springfield, Ill., has a publicly owned plant belonging to that city. They figured it, and under their rates they would have supplied the same amount of electricity for \$203.35. That would have made a saving of \$118.65 in one month. One customer, one corporation, would have saved, according to the rates of the publicly owned Springfield (Ill.) plant, \$118.65.

Mr. King sent that bill to Jamestown, N. Y., where they have a publicly owned electric-light plant. Their figures were \$291, a saving over the Power Trust figures of \$31 for one month for one customer.

Mr. King sent the same bill to Los Angeles, Calif. They have a publicly owned system. I am not familiar with all of these systems, but those with which I am familiar never sell anything at cost. They have an amortization fee that is not in the bills of the privately owned plants. That, in time, will wipe out the investment entirely. They put in the interest charge, the same as the others; so that a fee is included there amounting to more than the difference in taxes because some of these plants do not pay taxes. Some of them do.

The Los Angeles, Calif., publicly owned plant figured on this bill, and they said, "We will furnish that electric power under our rates for \$179.50," a saving of \$142.50 for one month to one customer—nearly \$150 of saving.

This is what the Power Trust say costs more when you buy it from publicly owned plants than when you buy it from privately owned plants; and yet here are the black and white figures, starting with their own bill, collected in their regular way from one of their customers.

Mr. King sent that bill also to Cleveland, Ohio, where they have a small publicly owned plant doing a wonderful work, but working under adverse circumstances. Much of the time they have had officials who have been unfriendly to it. They have had State officials who have been unfriendly to it. They have handicapped it in every way. They have taken it into court dozens and dozens of times. They have litigated everything. They have fought every step of the way. They have a small plant supplying a comparatively small number of customers as compared with the great city's entire population; but they said, "Under our rates we would have charged \$317.76," a saving in favor of the Cleveland plant of \$4.24. Even that, for one month, is not a bad thing. Even that represents some saving for one customer, and a small customer, too. It is not a big plant. It consumed only 12,700 kilowatt-hours; but the charge of the Cleveland plant would have been \$4.24 below the Alabama Power Co.'s charge.

Mr. King sent this bill to Seattle, Wash. They have a municipally owned plant there. In that plant they charge every consumer his share of an amortization fee and his share of the expenses necessary to run the plant. It is all done on a business basis. Carried to the end, in time Seattle will not owe a single dollar. When that time comes, the price, as everybody can see, will drop much lower than it is now. That is not true of any private plant on earth. They never reduce their capitalization. As I have shown you here this afternoon, they double it, they treble it, they increase it at every opportunity.

The publicly owned plant at Seattle figured this bill, and they said, "We would furnish the same amount of electricity for \$213.20," making a saving in favor of the publicly owned plant at Seattle of \$108.80 for one month for a small manufacturing plant.

Why, Mr. President, the cost of power in these cases is the difference between success and failure. Of course, these plants can not compete with the publicly owned plants; so we levy a protective tariff. We first levy an inhuman rate upon the people who pay the electric-light rates and electric-power rates in order to keep up this blessed private initiative, in order to protect the Power Trust that are taking over the streams and the coal mines of the country to a great extent. After they have grabbed the natural resources of the country we are permitting them to levy an unholy tribute upon everybody who uses electricity, big and small alike; and then, after we have done that, to make up the injury, to keep them in business, we are going to levy a tariff upon all the people of the United States, so that they can continue in business. We add insult to injury.

Let us go on.

Mr. King sent this bill to Tacoma, Wash. They have a publicly owned plant. They said, "We will supply that electricity for \$142.90," making a saving—now, listen to this—in one month, for this one little consumer, of \$179.10!

You can not get away from those figures, Mr. President. You can not get away from those mathematics. They figured the same bill. To figure a power bill an expert is needed, almost, because the kind of power that one customer buys may be different from that which another customer buys. One may want continual service the year around, another may want it only part of the time. If he takes it part of the day, during which, usually, electricity is not being consumed, he can get a very low rate, but remember that in every one of these cases identically the same bill was figured, so that they know just what kind of power they were figuring. Everything was on exactly the same basis, and in every case the municipally owned plant furnished the cheapest power.

Let us take Tacoma, where there had been a saving of \$179. I happen to know something about the Tacoma plant. In lieu of taxes, they pay a stated sum of money every year to the treasurer. An article I read some time ago, written by an engineer who reviewed the case, took up the subject of the taxes paid by Stone & Webster, who do business in the State of Washington; they are competitors in the power world. He figured that the taxes paid by Stone & Webster were not as much as what was paid in lieu of taxation to the treasurer by the municipally owned plant at Tacoma.

It is figured also that in this bill at Tacoma there is counted, as there is in the private plant, something for interest, something for depreciation, just the same in the public and private plants, but the public plant at Tacoma figures in something which the private plant does not figure in. They figure in a sum which, in the course of 40 or 50 years, will pay off the entire investment, and leave them without a dollar of debt. The private company, as I have said, never does that, so the difference is much greater, in reality, than what would appear from these figures.

Mr. President, it is admitted by everybody that domestic rates are lower in Canada than they are here. While I was showing this map on the wall in regard to power rates, comparing Ontario with the United States, I thought I would also exhibit to the Senate another map which would show in the same way the difference in domestic rates, that is, the rates for electricity coming into the home, the difference between the cost to the consumer in Ontario and in the United States.

The black line on the plat represents the cost to the consumer in the United States, commencing in the year 1910, and running through to the end of 1928. The red line represents the cost to the consumers in Ontario. The average in the last year shown here, 1928, of cost to the domestic consumers in the United States, was 7.2 cents a kilowatt-hour. That is the average. That average includes a lot of municipally owned plants, too. Over in Canada the average for the same time, the same year, was 1.5 cents, compared with 7.2 cents per kilowatt-hour in the United States. That is the difference in domestic rates. That is the difference between publicly and privately owned distribution of electricity.

It will be observed from the map that the rate of 7.2 cents a kilowatt-hour is the average in 32 cities of the United States having a total population of 25,000,000; and that the rate of 1.5 cents per kilowatt-hour in Ontario cities is an average of 25 Ontario cities with a total population of only 1,179,000. As shown from the map, the average of all Ontario municipalities, regardless of population, have an average rate of 1.7 cents per kilowatt-hour. In 1910, prior to the publicly owned system of the generation and distribution of electricity, and when the same was supplied by private corporations, the average rate in Ontario was 9.3 cents per kilowatt-hour. The map also shows that the 25 cities in Ontario having a population of 10,000 or more have an average domestic rate for electricity of 1.5 cents per kilowatt-hour; that 55 towns in Ontario having a population between 2,000 and 10,000 have an average rate of 2 cents per kilowatt-hour; and that 188 villages under 2,000 population have an average rate of 2.8 cents per kilowatt-hour for domestic electricity.

I have not said much to-day about the source of the power. Very much of this power comes from falling water, comes from the natural resources of the country, which in Canada has been kept for all the people, and in the United States to a great extent we have turned them over to these corporations, to this trust I have described, this trust which the Federal Trade Commission shows has carried on a propaganda from day to day which has cost hundreds of millions of dollars, to deceive the people of the United States.

One of the things which always grinds on me is that every time President Hoover makes a speech—and he has made quite a good many, about 30 or 60 days apart—telling that prosperity is just over the hill, and how we have avoided having an awful crash, speeches with which I am not at all finding

fault except in one particular, he always takes pains to say that the "great public utilities"—that is the expression he uses—the great public utilities have done their share toward keeping up prosperity by employing men to build dams and to continue improvements, just as though if it were done by the States, by the municipalities, or by the Federal Government the same men would not have to be employed, the same things done, toward keeping up prosperity.

How can he refer to them as the great public utilities, in the face of the record of the Federal Trade Commission, where it is shown that for years they have been deceiving and robbing the American people? They have been engaged in politics from top to bottom in every State, dirty politics, disreputable politics, which ought to bring the blush of shame to every patriot. I do not like to have our President referring to them as the "great public utilities." They have never done anything except to feather their own nests and deceive the very people who, by their pennies, contribute to their wealth.

Mr. President, under these circumstances how can it be possible that any national legislature would turn down, in favor of the Power Trust, a proposition to continue the operation of Muscle Shoals for the benefit of the American consumers of power and of light? How can we, with these lessons before us as to what is happening in the municipalities where the municipalities own the plants, what is happening in Canada, where there has been public development of water power, as well as steam, how can we turn our backs upon the facts and say that, in the face of this record, we are going to turn Muscle Shoals over to this institution, which has been deceiving the American people for years and years on this important question—not only deceiving them, but robbing them—the same institution which set aside \$400,000 to control the Senate. All Senators are familiar with that fact, that \$400,000 was set aside to control the action of this body, and hundreds of millions of dollars to control legislatures, town boards, and commissions in the United States.

We know what developed then, and how it was done, and what was done. Now, in the face of the record, are we going again to subsidize them and give them this natural resource, into which has been poured nearly \$150,000,000 of public money?

APPENDIX

CHARTS AND EXPLANATORY DATA

CHART I.—INDUSTRIAL SERVICE, SCOPE, SOURCES, PURPOSE

This chart gives the average cost per kilowatt-hour of industrial power used by ultimate consumers in the entire United States and the entire Province of Ontario for the years 1925–1928, inclusive. It is based upon the following figures:

TOTAL UNITED STATES

Year	Kilowatt-hours sold	Revenue	Average kilowatt-hour
			Cents
1925.....	36,431,000,000	\$420,810,000	1.15
1926.....	41,964,000,000	519,100,000	1.23
1927.....	47,093,000,000	636,545,000	1.35
1928.....	51,140,000,000	686,015,000	1.34
	176,628,000,000	2,262,470,000	1.28

TOTAL ONTARIO HYDRO

1925.....	1,894,440,816	\$11,580,778	0.61
1926.....	2,156,391,288	13,088,534	.60
1927.....	2,219,738,463	13,924,606	.62
1928.....	2,426,384,841	14,655,714	.60
	8,696,955,408	53,249,632	.61

Scope: By "industrial power" is meant electric current used by manufacturers, electric railways, and other industrial power users, great and small. It includes current used by municipalities for power purposes only, such as pumping, etc. It does not include domestic or commercial lighting, small incidental domestic power, or power sold for resale.

Sources: United States figures are from the annual progress and statistical number of the Electrical World for January 4, 1930, pages 22 and 23, at which appear Table I, Distribution of central station energy, 1921–1929, 100 per cent of the industry, and Table II, Sources of central station energy, 1921–1929. Figures from the columns headed "Power" and "Electric railways" are combined in the above tabulation in one figure in order to make comparable the totals from United States and Ontario.

The statistical editor of the Electrical World, Mr. G. F. Wittig, in his article notes that his "estimated net consumption by ultimate users" for his various class service allocations are made from data collected by the United States Geological Survey. His "revenue" figures are his own, excepting for the years 1922 and 1927, which are taken from United States census reports.

A statistical bulletin of the National Electric Light Association issued in June, 1928, covers essentially this same ground and states the average national cost for "small light and power" to be 4.55 cents per kilowatt-hour. "Large light and power" is given at 1.44 cents per kilowatt-hour, but the inclusion of "light" with "power" renders the figures unavailable for a comparison with the more exact Ontario reports. The graph, therefore, is based on the most conservative figures the industry publishes definite enough for the purpose aimed at, the average cost of industrial power alone.

Municipal plants included: It must be noted that the United States figures include data for municipally owned and operated plants. There are some 2,600 of these, and the estimates for the private power interests gain the benefit of the lower rates generally charged by public plants. However, the output of the public plants is not of sufficient total size as to affect very materially the average, however striking the difference between public and private individual bills turn out to be when compared. Such sharp diversions are lost in the huge general average.

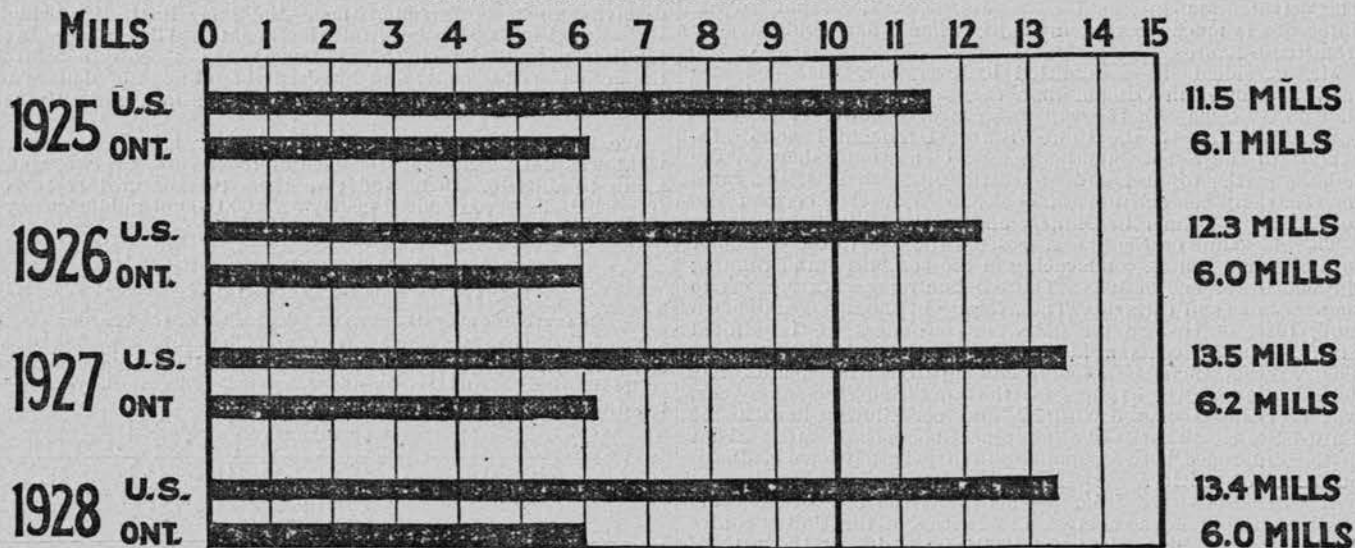
Sources: Ontario figures are taken from the Bulletin, official magazine of the Hydroelectric Power Commission of Ontario, issue of September, 1929, Table IX, Commercial power service, and Table X,

Municipal power service, page 317, are combined to meet the comparable figures for power used in the United States. Incidentally, the average cost for strictly industrial private power used for 1928 was 5.7 mills and the average cost for power used in municipal service was 9.1 mills, the average for the total figures being 6 mills. It is deemed advisable to restate here emphatically that the figure 6 mills per kilowatt-hour is the average retail cost to ultimate consumers and not the wholesale cost of power sold by the provincial commission to the municipalities for resale. The figure includes the total amount of power sold by the municipal commissions to private consumers and also power sold direct by the provincial commission to some 95 very large industrial customers, which does not pass through the municipalities. Power sales, inclusive of this direct service, had not been reported by the commission prior to 1925 and were first published in 1928.

COMMENT ON INDUSTRIAL POWER CHART ABOVE

These data prove that the average cost per kilowatt-hour of power used for industrial purposes in Ontario is less than half of the average cost for the same service in United States, even when municipally owned plants are included in the American totals. The figures are a striking refutation of the claims broadcast throughout the United States by the officials and publicity agents of the private power interests that manufacturers and industrial users are charged higher rates by the publicly owned and operated hydro system of Ontario than are charged in the United States under regulated private ownership. A few samples of these unwarranted assertions are germane here.

CHART I
COST OF INDUSTRIAL POWER PER K. W. H.
UNITED STATES AND ONTARIO 1925-1928



SOURCES OF DATA

UNITED STATES FROM THE ELECTRICAL WORLD OF JANUARY 4, 1930, PP. 22-23

ONTARIO - - FROM OFFICIAL BULLETIN OF THE HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, SEPTEMBER 1929

1. In the pamphlet entitled "Niagara Falls: Its Power Possibilities and Preservation," published by the Smithsonian Institution January 15, 1925, and written by Samuel S. Wyer, is found in a chapter, Ontario and United States electric service compared, this statement:

"b. The domestic electric rates (in Ontario) are below cost and the loss is made up in part by higher rates for industrial power consumers than prevail in the United States, which places Canadian industry at a disadvantage."

2. The Nation's Business, official monthly magazine of the United States Chamber of Commerce, in its issue for February, 1925, carried a lead article, Facts the Senate Never Got, by Samuel S. Wyer, which contains the following:

"... the domestic rate is higher than the industrial (in Ontario), but it also results in giving United States industrial consumers lower rates than the industrial consumers in Canada. It follows that manufacturers in United States have an advantage over Canadian manufacturers and this advantage spreads to all the public."

The article carried a supporting featured editorial announcement, in which the editor repeats the charge thus:

"The Ontario Government-owned electric plant * * * is charging more to the industrial user than the companies in United States * * * in other words, Ontario is robbing the industrial Peter to pay the domestic Paul."

3. The joint committee of the National Utilities Associations, Hon. George B. Cortelyou, chairman, of which the National Electric Light

Association is the driving force, broadcast throughout the United States in 1927, a pamphlet Government Fails in Industry—Federal, State, Local. The chapter, The Ontario-Hydro Myth, page 24, contains this:

"In Ontario the domestic consumer pays much less for current than his American neighbor across the border * * * the Ontario factories, and other power users, pay much higher rates than do American power users."

4. A pamphlet entitled "Study of Electric Light and Power Service Prepared for Fuel, Power, Transportation, Educational Foundation," by Samuel S. Wyer, consulting engineer, Columbus, Ohio, with introduction by Charles F. Scott, professor of electrical engineering, Yale University, makes the same claim, as follows:

"In Ontario the domestic rates are below cost and lower than the United States, and the industrial rates are higher than in the United States."

5. The National Electric Light Association, department of public information, issued an official news release March 20, 1930, which contains this statement:

"The light and power industry of the United States has always believed that the fundamental principle in fixing rates for light and power for various types of services is that each service shall carry its own load, and that under no circumstances shall any one particular class of service, or the taxpayers generally, be penalized to subsidize some other class of service. The result of this policy has been that large wholesale users, such as manufacturing enterprises, have en-

joyed rates for current much lower than the rate for small retail users, such as domestic consumers. The principle is exactly the same as that of any merchandising business.

"In Ontario, with Government ownership and operation, the theory is entirely different. There business and industry, as well as the general taxpayer, have been penalized for the benefit of the small consumer, and more particularly the rural consumer."

The claim that the private companies of the United States fix their rate schedules on the basis of costs to each class of consumers and that the Ontario managers do not follow this practice is false and misleading. The truth is that the United States managers employ no cost accounting methods by which they know scientifically the cost of distribution of current from the switchboard to each class of consumers. In practice they charge what the traffic will bear. In Ontario a cost-accounting system as to distribution has been in force for 20 years, and rates to each class of consumers are based upon the costs thus scientifically obtained. No fact could more strikingly demonstrate the utterly irresponsible character of the statistical data and claims made officially by the National Electric Light Association and propagandists for the industry generally than this startling truth.

CHART II.—DOMESTIC SERVICE, DATA, AND SOURCES

This chart is based upon the following figures of the net average cost in cents per kilowatt-hour for domestic electricity sold in 32 American cities and of all Ontario cities of 10,000 population or more, 21 in all, with the exception that the figures for the years 1927 and 1928 include 51 American cities and 25 Ontario cities. Distinction should always be

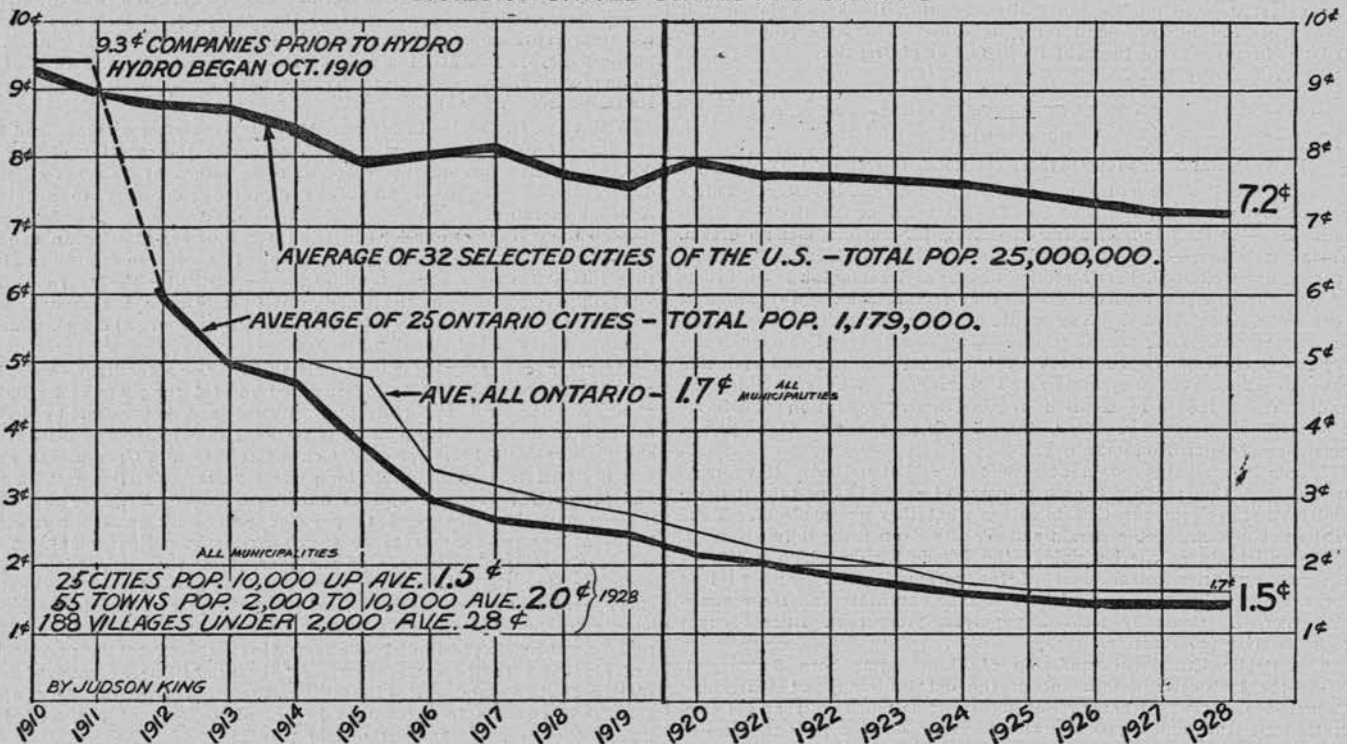
made between "rates," as shown by schedules and average "costs" of the total amount sold.

Year	United States, cost kilowatt-hour	Ontario, cost kilowatt-hour
	Cents	Cents
1910	9.2	19.30
1911	9.0	
1912	8.9	6.00
1913	8.7	5.06
1914	8.5	4.86
1915	8.0	3.83
1916	8.05	3.08
1917	8.1	2.89
1918	7.9	2.72
1919	7.8	2.55
1920	8.0	2.29
1921	7.9	2.20
1922	7.8	1.98
1923	7.7	1.83
1924	7.6	1.73
1925	7.5	1.71
1926	7.4	1.66
1927	7.4	1.63
1928	7.2	1.55

¹ Cost under companies prior to hydro. The Ontario hydro system began operation Oct. 11, 1910, with 5 cities and 9 towns to serve. By 1918 there were 21 cities and also 108 towns and villages connected.

CHART II

COMPARATIVE COST OF RESIDENCE ELECTRICITY PER K. W. H. CITIES OF UNITED STATES AND ONTARIO



Sources, United States: Electrical World estimates quoted at page 162 and charted at page 164 of a "memorandum" filed by the Joint Committee of National Utility Associations, Hon. George B. Cortelyou, chairman, with the Interstate Commerce Committee, United States Senate, January 19, 1928, in opposition to the Walsh resolution for power investigation. The editor states that the list of cities is the list used by the Labor Review, August, 1927, page 203, official publication of the United States Department of Labor, for 1926 and prior. For 1927 and 1928, see Cost of Living Prices, issued by Commissioner of Labor Statistics Ethelbert Stewart, June, 1929; average costs for these years furnished direct by him.

Sources, Ontario: See official bulletins Hydroelectric Power Commission of Ontario, January, 1927, page 8; November, 1927, page 411; September, 1929, page 309.

Cities used for comparison

UNITED STATES	Population	ONTARIO	Population
Atlanta	250,000	Brantford	28,010
Baltimore	819,000	Chatham	14,118
Birmingham	217,000	Galt	12,686

Cities used for comparison—Continued

UNITED STATES—continued	Population	ONTARIO—continued	Population
Boston	793,000	Guelph	19,219
Buffalo	550,000	Hamilton	122,238
Chicago	3,102,000	Kingston	21,621
Cincinnati	412,000	Kitchener	24,805
Cleveland	984,000	London	63,339
Denver	289,000	Niagara Falls	16,819
Detroit	1,334,000	Ottawa	118,088
Houston	256,000	Owen Sound	12,231
Indianapolis	374,000	Peterborough	21,726
Jacksonville	137,000	Port Arthur	17,021
Kansas City	383,000	St. Catharines	21,810
Los Angeles	1,300,000	St. Thomas	17,152
Memphis	179,000	Sarnia	15,588
Minneapolis	447,000	Stratford	18,888
Mobile	66,000	Toronto	542,187
New Orleans	424,000	Welland	8,942
New York	5,970,000	Windsor	52,638
Norfolk	179,000	Woodstock	10,114
Philadelphia	2,035,000		
Pittsburgh	665,000		
Portland, Me.	78,000		
Portland, Oreg.	340,000		

Cities used for comparison—Continued

UNITED STATES—continued		ONTARIO—continued	
	Population		Population
Richmond	191,000		
St. Louis	839,000		
San Francisco	578,000		
Savannah	96,000		
Scranton	143,000		
Seattle	411,000		
Washington	540,000		
Total	25,377,000	Total	1,179,240

EXHIBIT A

UNIVERSITY CITY, Mo., April 21, 1930.

Hon. G. W. NORRIS,
Washington, D. C.

MY DEAR SENATOR: I am sending you under separate cover an article on Superpower, which I wrote with the idea of sending it out to a magazine. I've concluded to send it to you instead.

I used to be in the utility game, but dropped out of it because, with my temperament, I couldn't have stayed in it and stayed out of the penitentiary. I have nothing, therefore, to conceal, and you can rest assured that it is a fairly accurate picture of how the game is played. And it is written to cover practically every State in the Union.

I take the State of Illinois as my example, because Illinois was my stamping ground. I dabbled in franchises over there, built, promoted, controlled, and operated a few of the smaller utilities and have been before the State commission a good many times, both aggressively and defensively. I came finally to regard the game as the biggest steal of the century and dropped out of it.

Since then I have watched the one-man warfare you've been carrying on against it—and no one can realize, Senator, the keen enjoyment it gives me. I'm for you—and for your cause. If "Superpower" contributes in any way to the fight I will feel amply repaid.

Yours very truly,

C. C. BALDWIN.

SUPERPOWER

By C. C. Baldwin, 8100 Olive Street Road, University City, Mo.

Superpower! A structure imposed on the electrical industry! Thirty years ago we had not heard of it. Twenty years ago it lived—a nebulous thing—in the minds of a few far-seeing, far-reaching men; a dream. To-day it is here—a giant sprawling across the continent. Seemingly it is an unmixed good. Yet a section of official Washington is suspicious of it. "If it is an unmixed good," that section asks, "why would it revise our school books? Why would it enter our pulpits, our ladies' aid societies, our civic organizations? Why does it spend fabulous sums for the election of certain of our United States Senators and maintain expensive lobbies in Washington and elsewhere? Why should it rave and rant at the mere mention of Government operation at Muscle Shoals?" Pertinent questions, indeed. Questions we, as a people, must pass judgment on some day.

Let us look at Superpower at close range. Let us learn, if we may, why that section regards it as a monster of evil. Let us take it down and look at its component parts to see what they are made of. Then, let us put it back together again and see if we can make it function.

We will begin at the beginning—the foundation on which it rests—the public-utilities commissions of the various States. And to lend cogency and point to our efforts, let us take one State and the commission thereof. Centrally located, populous, prosperous, Illinois ought to be fairly representative.

The Public Utilities Commission of Illinois was born January 1, 1914—the legislative descendant of the old Railroad and Warehouse Commission. It was a nonpartisan measure; so much so, that a Democratic legislature under a Democratic governor, enacted it in the face of taunts that the party had gone over the Hamiltonian theory of government; and seven years later, Len Small, a candidate before the Republican primary electors, said repeatedly, "I pledge myself, if elected governor, to do all in my power to abolish the Public Utilities Commission of Illinois." On that pledge he was elected by his Republican fellow believers in State rights! In passing, Small was elected by a landslide, but the commission still stands. True, its name was changed to the Public Service Commission of Illinois. And that may, or it may not, be a redemption of that pledge according to the value placed on campaign pledges.

Anyway, the enactment was hailed as the panacea for all the ills the parties in interest are heir to. It was big medicine. It names the class, kind, and amount of securities a public-service corporation may issue. It limits the net earnings and the maximum rates that may be charged for service. It grants permission or refuses it, to make extensions, betterments, and improvements, and sets the amounts that may be expended for these purposes. It may order these extensions, betterments, and improvements to be made and has the power to enforce that order. It may delve into any and all angles of the industry to approve or disapprove, to sanction or condemn any practice not meeting its require-

ments. All this to the end that the various and sundry utilities in the State may be brought under uniform and complete control.

An all-embracing, all-powerful body, you say? An organization with a full set of teeth? Yes. Some say it is too all-embracing, too all-powerful. To all intents and purposes, they will tell you, it usurps the powers of the courts. It is judge, jury, and prosecutor—all rolled into one. It makes its own rules and regulations and, therefore, it functions as a legislative body as well. True, there are provisions for appeal from its decisions, but, in practice, those provisions are as dead as the dodo. It is a law unto itself. This, then, is the substructure on which super power rests. Let us see how it works.

On the morning of January 2, 1914, John Doe, say, appeared before the newly inducted commission and asked for a "blanket franchise" covering 40 counties of the State, for the purpose of building, or buying, electric-light plants therein, anywhere, any time, he might see fit. This request was granted. And there was an astonishing result. Mr. Doe, by reason of his early-bird appearance before the commission, gained what he called "prior rights" throughout all this territory! And he made it stick! It was his "by right of discovery," and no one else thereafter could build or buy a light plant anywhere in it without his sanction and consent! Thereafter the electrical destinies of these 40 counties were in the hands of Mr. Doe. If he saw fit to welcome an intruder, all well and good. If he objected to the invasion, it was up to the commission to refuse a "certificate of convenience and necessity." The first step toward monopoly? There are three others that will appear as we proceed.

There was another outcome of that January meeting. Mr. Doe asked, also, for permission to issue securities against the properties he expected thereafter to acquire; and he suggested the ratio as follows, to wit: 60 per cent in first-mortgage bonds, 25 per cent in preferred, and 15 per cent in common—or voting—stock. This, too, was granted; and it, too, carried a joker. Among other things, it violates one of the oldest precepts of corporation law—majority control. It is "against public policy"; yet, Mr. Doe would rule his organizations with a bare 15 per cent of the securities. Truly, the commission is a law unto itself.

With these two scalps in his belt, Mr. Doe went after a third—and he got it. He asked the commission to authorize the printing of \$100,000,000 in these first-mortgage bonds, to be issued at 85 cents on the dollar, against the light plants he expected some day to acquire. A nebulous thing?

Keep these three concessions in mind, for they are vital to an understanding of what makes superpower click. It is well to remember also that this—with some slight modifications—constitutes the "layout" in virtually every State in the Union. With this as a background, we ought to be able to take the superpower machine apart and look understandingly at its individual units.

Picture a coal town of 8,000 souls in Mr. Doe's territory—we will call it Columbus. This bustling city had boasted for years of its light plant, a snug, self-supporting unit, owned and controlled by local capital and managed very efficiently by local talent. It was delivering electric service to home consumers on a flat rate of \$3 per month and had declared modest dividends for several years. Mr. Doe wanted it, and presently he secured options on all its stock. A clause in these options gave him the right to pay for that stock in first-mortgage bonds at par, said bonds to be issued against the light plant. The sale was predicated, of course, on the approval of the commission.

In due time the sale was approved. At the same time the commission's experts filed an appraisal of the light plant's physical assets. This valuation was set at \$400,000. Thereupon Mr. Doe issued, in round numbers, \$282,000 of bonds from that Pandora box he previously had planted with the commission. At the same time he received authority to issue and sell \$100,000 in preferred stock at par; also \$60,000 in common in a company he organized for that purpose. He was to operate and manage the light plant.

He exercised his options by delivering \$200,000 of these Pandora-box bonds, which had cost him nothing but the printing and engraving, to the former owners. He put on a sale of preferred stock in Columbus at 100 cents on the dollar, and he sold it all. The commission allowed him 15 per cent of the total issue for what it calls "engineering expenses" (it objects to the words, "promoters' profits"), and Mr. Doe bought all the common stock and paid for it by offsetting his "engineering expenses." Of course, the two amounts balanced exactly. This gave him control, which also cost him nothing. His profit on the transaction, therefore, was approximately \$182,000 in cash plus control of the light plant. This latter concession won for him any dividends the common stock might earn, and also the right to pay himself any salary he chose for its future operation and management. An extreme case, you say? Not at all. These ratios can be found almost anywhere in the State.

Later the commission recognized the latent rawness of its ruling that a "minority of the securities may control a majority." And it set about curing that ruling in its own inscrutable way. Instead of the 15 per cent in common formerly permitted, the commission now allows

Mr. Doe a little block of "no par value" stock for purposes of control. No par value, indeed! That "no par value" stock has been quoted as high as \$1,500 per share on the exchanges—and it is worth it if you get it all!

But let us follow Mr. Doe. A few days after he had taken control of the light plant at Columbus he asked the commission if he could install a power unit at a coal mine 1 mile north of the city. At the same time he asked if he might erect a pole line from this power unit to the city limits for the purpose of transmitting "energy" from his new power unit to Columbus and elsewhere. "Sure," the commission told him, "go to it." The plot thickens. It develops just here that the light plant at Columbus, up to the time Mr. Doe acquired it, had been too big, too cumbersome, too involved and intricate, too irrational, as it were. It must be whittled down to its proper size. It must be reduced to its component parts. Again the commission acquiesced.

Thereupon that little power unit at the coal mine became a complete and separate entity, a corporation of its own. The transmission line—fifty-two 30-foot poles in all, with their complement of cross arms, brackets, and insulators and its three strands of copper wire—became another. The equipment within the city of Columbus became a third. Now watch it. The power plant at the coal mine sold its output to the transmission line. The transmission line sold it to the company in Columbus, and the company in Columbus in turn sold it to the consumers. This 3-in-1 consummation jumped the rates to the consumers—they were put on meters during the scuffle—from the old \$3 per month to an average of \$5.50. But that, of course, was an incident—an "innocent bystander" accident. The main idea was to simplify and rationalize the light plant.

Each of these subsidiary companies, of course, carried its quota of Pandora box bonds, preferred and common stock. And, of course, Mr. Doe occupied the key position in each of them. He realized his net cash profit in each and voted himself a handsome salary for the operation and management of each. All of which was entirely fitting, for "control carries the emoluments thereof." It also serves to hide the "spread" between producer and consumer. The power unit at the coal mine can and does manufacture electricity for one-half of 1 cent per kilowatt-hour and the home consumer pays 10 cents for it. Without these intervening salaries and corporate entities, Mr. Doe would be hard put to it, indeed, to find justification for more than a 6-cent rate. So the subsidiaries serve their purpose after all.

There is yet another by-product of this divorcing process that seems worthy of note. When Mr. Doe began to manufacture electricity at the coal mine he put the power plant inside the city of Columbus out of business. This plant, remember, constituted nearly one-fourth of the physical value of the entire property. He had nowhere to use it in his scheme of operation, so it was reduced to idleness. In other words, one-fourth of the physical assets represented by the bonds and preferred stock of the Columbus light plant were reduced to junk. And, so far as the security holders were concerned, there was nothing to take its place, for the new power unit at the coal mine which now supplied the "energy" was a company in its own right and carried its full quota of securities and obligations. At a single stroke Mr. Doe simply wiped out one-fourth of the security holders' property. It was gone.

During the first year of his stewardship of these 40 counties he acquired 84 light plants in his territory, all of them after the manner of his acquisition at Columbus. In the early autumn his Pandora box "went dry" and the commission was asked to fill it up for him again. Many of these units, like that at the little coal town, were "too big" and had to be reduced. Snaky transmission lines began to meander over his territory; some of them touching as many as a dozen cities each, and all of them sucking at the assets of the security holders blighting the local power plant. Mr. Doe was becoming a power in the community and was waxing fat financially.

Along in the early winter a thin spot developed in his armor. An impudent, impecunious, young promoter appeared before the commission on behalf of a little interurban railway. He asked for permission to issue, and buy for himself, the newly adopted 15 per cent of voting stock. He admitted frankly that he was not investing a dime of his own money in his project. In spite of its earlier ruling the commission demurred on the ground that "to allow a minority to rule is against public policy." The young promoter laughed. "Gentlemen," he taunted, "you've allowed his nibs, Mr. Doe, to get away with it. You'll allow it to me or I'll throw class legislation in your faces. It looks to me like you are between the devil and the deep blue sea." And after a decent period for contemplation the commission gave him what he sought. But immediately thereafter it laid down the rule that "it has the power to decide when and if an applicant is financially able to carry out his obligations." Thus was patched the "thin spot" in the armor; thus was forged the second link in the chain that since has fettered the State of Illinois. The young promoter built his railroad but he never was able "financially" to build another one.

In the spring of 1915 Mr. Doe began to develop another phase of his campaign. It almost became a scandal. Two of his fellow patriots, Messrs. Roe and Lowe, had appeared alongside Mr. Doe on that post

natal morning of January 2, 1914. They, too, had asked for "blanket franchises" covering the remaining two-thirds of the State. They, too, sought and received the same concessions as did Mr. Doe. And during the months that followed they, too, drained their Pandora boxes and went back for more. They, too, became powers in their communities and waxed fat financially. And now—now gossip had it that they were puppets, dummies, mere figureheads for Mr. Doe. That Mr. Doe, and he alone, had the right to build or buy light plants in Illinois! The third link in the tie that binds? Let us look just a little further.

A promoter asked the commission for a certificate to build a warehouse and storage plant in East St. Louis. The request was refused because "the evidence shows that the two companies already there are financially able and willing to increase their own facilities when, and if, the demand requires it. There is no need, therefore, for a third company in East St. Louis." By that ruling Mr. Doe's possession, which now was recognized as a fact, was given the sanction and the benefit of the law. His monopoly now was made complete.

This puts us in position to rebuild the superpower machine. Let us see if we can make it function, and to give it zest, let us own it. We—you readers and I—are going to put it back together again so that it hits on every cylinder it has. And listen, folks, unless some one hogs all the jobs, there's going to be a presidency for every one of us among the subsidiaries we are going to create. Our motto is, "Get the money," and we all understand the language.

Here's where we begin. Mr. Doe has made so much money from his manipulations to date that his kinfolks are wishing he would die so they can get it. He has grown a little tired of the grind and wants to retire. He will sell us his holdings for \$5,000,000. That is a little high, for he has nothing to sell except "control"—the real owners of the properties are the security holders—but it will be worth it anyway.

We will organize a syndicate and buy him out. Now, now, don't get uneasy. It won't cost us a dime—no more than it cost him. The dear old public pays the freight. Of course we could pay it ourselves by assessing our "presidencies" for a year or so, but who wants to wait a year before he begins cashing in? Instead, we will get an option from Mr. Doe and then we will ask the commission to allow us to consolidate all the properties in the original 40 counties into one gigantic company with a bond issue sufficient to take up all the slack, Mr. Doe's price included.

A pipe dream? Not at all. Practically speaking, under the accounting system in vogue, such terms as "depreciation," "obsolescence," etc., are simply words used in bookkeeping. They don't mean anything. They merely mean amounts that are charged off out of earnings, and the consumers pay them—not the company. Consequently the only revision is upward. Therefore the plant at Columbus is now worth more than it was, in the eyes of the commission, when Mr. Doe acquired it. In addition to this there has been a natural increase to the property that comes with time and the growth of the town—unearned increment—that we can cash in on. All in all, the commission will appraise the plant at around \$500,000 on its own records and figures without us making a single claim. At 85 cents on the dollar, this allows us to issue \$353,000 from our own little Pandora box of bonds and \$200,000 in preferred stock—there is no common, remember. A net total of \$553,000 from Columbus alone to apply on our option. The original 40 counties will pay the entire bill and leave us a nice little nest egg besides. Not so bad! Not so bad!

We will consolidate the other two-thirds of the State into two other companies, not because we need the money, but because it is there for us and we might as well get it. That's our motto, you know, "Get the money." We will have, then, 3 big companies instead of 1,500 small ones. On its face that looks like we have wiped out 1,497 "presidencies"; but we haven't; we have simply changed the name. Hereafter they are "managerships." The salaries are the same as before, so it doesn't hurt us any. And, besides, we will find a place for more "presidencies" again anyway before long. We will raise consumer rates a little on the plea of increased costs; but that's all right—consumers have learned to expect it by this time. Besides, that's what they are for.

Now, we can begin to crisscross the State with transmission lines, high-tension things—big ones—that reach from one end of the State to the other and take their "energy" from two or three master power stations. We can begin thus to effect some real economies by closing down, junking, practically all our brand-new power units. And this also will start the ball rolling in the matter of more "presidencies." We will have to incorporate the bigger units and reincorporate all our former little transmission lines. By the way, if any of you readers have had experience in naming Pullman sleeping cars we can use your talent. All these corporations, and more, will have to have names and identities.

Let us digress to see how our security holders are faring under our régime. The original stockholders at Columbus received \$200,000 in first-mortgage bonds for their holdings. They thought they were getting all the plant was worth—and they did. When the commission appraised the property at \$400,000 the physical value behind these securities was cut square in the middle. In other words, their property

values were reduced to 50 cents on the dollar. When the little power unit at the coal mine was incorporated they were cut again, this time to 37½ cents. These losses are offset, in a way, by the fact that the paper values remain the same, and in cases of emergency the "managers" always can go to the commission for a raise in rates. We must keep that last fact in mind, for we are going to cut these values some more before we get the superpower machine into proper working condition.

We have cut the number of our main corporations down to three. We will go a little further. This time we will ask the commission if we can organize on a bigger scale than ever. We will consolidate our three consolidated companies into one that covers the entire State. We will issue first-mortgage bonds and preferred stock to cover it. We will drag down for ourselves all the percentages coming from the sale of the bonds; we will keep most of the preferred stock, all the unearned increment, all the advantages the commission's system of appraisal gives us. We will give the security holders what is coming to them under the workings of the law of diminishing return. (Their holdings now are worth, perhaps, 22 cents on the dollar.) And we will raise the rates for electric energy.

We have some outside expenses that have to be met and we will need it—this raise in rates. There is a United States Senator to be elected from this State, and we will be expected to "sweeten the kitty" for him with at least \$100,000. In addition to this, St. Louis County home consumers are paying an average of only \$3.78 per month for their electricity, and if our people over here ever find that out they will begin to kick. So I went down to Jefferson City last week and asked the commission there if I could buy into that company. We've got to raise those Missouri rates in self-defense. And all of this, of course, takes money—and plenty of it. So unless we want to pay these extraneous bills ourselves we've got to keep on boring into the Illinois public.

Then after the stir of this consolidation quiets down, we will begin to manipulate our transmission lines—there's a nice field for profits in them that we scarcely have touched. Our contracts for transmitting "energy" are based at present on low—or pioneer—rates. Business has increased tremendously—quadrupled in some instances. We can't hide the profits they are making very much longer. We will have to "step-up" the apparent investment or we will have to seek elsewhere for a commission to pass on their securities.

We will leave this stepping-up process to the imagination, for the several steps are merely a repetition of those already outlined. And, as hinted at above, we will go on a still-hunt for another commission. The State of Delaware offers our greatest opportunity. Under its laws a corporation can get away with anything but murder. Therefore, we will take our transmission-line business to Delaware for organization. And to give that State jurisdiction beyond all reasonable doubt we will string a few wires across the line into other States. We will thus make our systems interstate and intersectional. We will make them so intricate and involved that Delaware will take our word for it rather than dig out the truth.

We have arrived now at the stage where holding companies are advisable. These companies, being foreign corporations—preferably Delaware—are not amenable to Illinois scrutiny. Therefore, there will be no way to examine our books; and, as long as we pay interest on our bonds and dividends on the preferred stock, Delaware will not inquire into our practices nor our surplus. That is an enviable position for us. So, let us organize a foreign holding company and employ it to "hold" our Illinois companies. Or, better still, let us employ a foreign holding company—of our own making—to "hold" each of them and then employ another to "hold" our holding companies. We can evade even our income tax by that process. See how easy it is?

We now are reaching an acute stage in our affairs. We must make a decision. We have raised the rates in Illinois as high as we dare to raise them. We have trimmed the security holders all they can stand. We have built up for ourselves an enormous profit, and we have hidden it beyond detection. We are at the fork of the road—either we must find other territory to trim, or, we must trim each other. There is no alternative. Our motto—and our habit—is: "Get the money."

We had better stick together awhile yet. The State of Missouri is ripe for exploitation. So is Arkansas. And Indiana, too. We can make a clean-up; and, after our experience in Illinois, we can hide our profits as we go along. Those Delaware holding companies are certainly satanic in their beneficence. We will print for each State a huge batch of those magic bonds that are worth nothing in our hands, but jump to 100 cents on the dollar as we release them; and we will swap them lavishly. We will get control. And then—then we will bring in new holding companies to hold the holding companies that hold our holding companies. And, above all, we will raise their rates. It is not fair to our Illinois consumers to have other consumers paying less for their "juice" than they have to pay for it. And we will make them like it; make them think they are getting a bargain.

There is one little fly in the liniment, however. We are a useless adjunct, an abortive growth—a wart—on the electric industry and are about as important to it as a fire hose is to a catfish. Why, friends! If it were not for our manipulations, drags, and perquisites people

could afford to heat their homes with electricity. They could do away with their chimneys! If this fact ever dawns on the general public, even the commissions will have to sit up and take notice. So we've got to be prepared for it. We've got to educate the public up to our particular brand of control. We've got to kill Muscle Shoals. We've got to use the pulpits, the ladies' aid societies, the civic organizations. We've got to control elections. To hold the press in line we've got to advertise. And in order to make our control everlasting we've got to print the school books for the next generation. It is a big program, but it's worth it. And last but not least, we must tie up the water rights on our navigable streams which will render our control of the Nation complete.

There is one other item. I hinted at it above. I have furnished most of the brains for our syndicate, therefore I get most of the benefits. I control the control. I won't need you anymore, so the trimming process has started among us. From now on our manager-ships are on a competitive basis. You folks have had it too soft. You are going to work. You are to "glad hand" the public when I say so. And when I tell you to sit down on it, you've got to sit. You must cut down expenses. You've got to work for the same money as would any outsiders, too. In other words, you are my hired hands. I'm boss. And I'm going to run this outfit so that I alone will "get the money"—even if I have to organize a holding company to hold the holding company that holds the holding companies that hold our companies.

This approximates the contention of that section of official Washington which is suspicious of superpower. It approximates also the superpower machine itself in practical everyday operation. And inasmuch as it touches the lives and pocketbooks of virtually all the people it beehoooves us to judge it for what it is worth—to us. Enlightened self-interest demands that we take notice of its abuses as well as its uses and that we correct those abuses as quickly and completely as possible.

It is too much, perhaps, to hope that those abuses ever will be corrected by their beneficiaries. Human nature is not built that way. It is not too much to hope, however, that the viewpoint of the commissions of the various States—and of the Federal Government—may be changed and modified so that the great inarticulate public—in this case, the consumers and the security holders—shall receive the consideration they deserve and ought to have. It is not enough to rely on any beatific conception of what a commission ought to do in the way of protecting the public interest. In practice it doesn't mean anything. Nor is it enough to have perfunctory representation merely—as at present. It is imperative that the public be fully, adequately, and intelligently represented in all cases at issue, at all times, to the end that decisions, rulings, and precedents may not tend, more and more, to lean toward the "managers" and away from the public. This will, at least, lend an air of permanency as well as fair dealing to the proceedings that are strangely absent now.

THE PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 43, line 4.

MR. NORRIS. Mr. President, I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Allen	Cutting	Kendrick	Sheppard
Ashurst	Deneen	Keyes	Shipstead
Baird	Dill	McKellar	Shortridge
Barkley	Frazier	McNary	Simmons
Bingham	Glass	Metcalf	Smoot
Black	Glenn	Norris	Steiwer
Blaine	Gould	Oddie	Stephens
Blease	Hale	Overman	Swanson
Borah	Harris	Patterson	Trammell
Bratton	Harrison	Phipps	Vandenberg
Brock	Hatfield	Pine	Walcott
Capper	Hawes	Reed	Waterman
Caraway	Hayden	Robinson, Ark.	Watson
Connally	Howell	Robinson, Ind.	Wheeler
Couzens	Jones	Schall	

THE PRESIDING OFFICER. Fifty-nine Senators having answered to their names, a quorum is present.

MR. BINGHAM. Mr. President, the distinguished Senator from Nebraska has just been making a very long and eloquent argument in favor of public ownership of municipal public utilities. I do not desire to enter into that question, but merely to explain the amendment which is now before the Senate and to do it just as briefly as possible.

In the House of Representatives, without any hearings being held and without giving any reasons in their report, the Committee on Appropriations, without any recommendation from the Budget, from the District Commissioners, from any of the organizations in the District representing taxpayers, or from the Public Utilities Commission of the District, placed in the bill an item carrying an appropriation of \$25,000 for the purpose of making a study of the power needs of the District with a view to establishing municipally owned and operated service therefor.

Your committee went into the matter fully and discovered that the domestic rate in Washington for residential service is less than in any city in this vicinity. For instance, in Philadelphia the rate per kilowatt-hour is 8 cents; in Wilmington, 8 cents; in Baltimore, 7 cents; in Richmond, 8.5 cents; and in Washington, 4.7 cents. Under the law this rate in the District of Columbia is diminished year by year as the company makes what may be termed "excess profits" over what the law has deemed to be a reasonable rate.

No citizen of the District asked that this money be spent for this purpose. The Public Utility Commission of the District did not favor it. The commissioners have not favored it. The Budget has not recommended it. Therefore I hope the committee amendment may be agreed to.

Mr. NORRIS. Mr. President, I want the yeas and nays on this amendment. If the committee is to be sustained and the Senate does it by a yeas-and-nays vote, of course, I can have nothing further to say. But I want to comment briefly on the reasons given by the chairman of the subcommittee for the striking out of this provision.

He said that the House committee put it in the bill without any hearings; that the House committee put it in the bill without any request from the public utilities; that the House committee put it in the bill without the commissioners asking for it; and yet everyone knows that for 25 years it has been a live question in the District of Columbia. It has passed the Senate five or six times in that period of time. Nevertheless, the committee now strikes it out upon the testimony of one man, Mr. Ham, the president of the Potomac Electric Power Co., the corporation which owns the power facilities, which is owned by one of the electric railway companies; in fact, the Potomac Electric Power Co. is a subsidiary of the Washington Railway & Electric Co. here in the city of Washington.

It seems to me that I could with as much reason ask that it be stricken from the bill because the community at large or the people interested did not appear before the committee and ask that it be retained, as that the one man, Mr. Ham, should ask that it go out and his request be granted. I have read his testimony, every word of it. His main argument is that we have cheaper rates here than in almost any other city. As I understand the rates, although I am not going to contradict his testimony, I think he is wrong in stating the domestic rates. The domestic rates in the District of Columbia are higher, I think considerably higher. I think they run as high as 7 cents. He gave the rate at 4.7 cents. That may be the average rate; but he does not give the average rate in the other cities in the East. Every single one of them is outrageous, including the rate in the District of Columbia. Why did he not compare the rates here with those in Tacoma or with those in Seattle or with those of the municipal plant at Cleveland, Ohio, or the plant at Jamestown, N. Y.?

The Senator also said that the local company has an agreement, approved by the court, which results in a sort of automatic reduction. That is true, but, Mr. President, that came about after the bitterest kind of a fight. The electric power company fought every step that was taken. The court finally impounded the excess which had been collected; it was impounded for years, during which time the people who were entitled to a refund had moved away or died, and when the funds thus impounded were finally distributed thousands undoubtedly did not get the amounts to which they were entitled. After fighting every inch of the way the company finally submitted to a court decree, when there was no other escape. The Senator from Connecticut boasts of the present rate that came about over his objection. If it had not been for men who were crying out for the public development and distribution of electricity, there would be a much higher rate in the District of Columbia than there is to-day.

It may be that the proposed investigation will not result in any reduction of rates, but if the investigation shall be fair, and follows up those which have been made before, it will finally result in a reduction. Yet the Senate is asked to say that it will not vote to appropriate \$25,000 to let the people know the truth about what could be done by a municipally owned plant in the city of Washington, although we have just swallowed an item of \$65,000 to buy automobiles with which to run down mosquitoes. The Senator from Connecticut was anxious about that item, and he had his way, as the Senate voted for the \$65,000 appropriation. Yesterday the Senator himself said, when I asked him what the automobiles were going to be used for, that mosquitoes are in the manholes over the sewers and it is necessary to have automobiles to drive over the town and look in the manholes. That was his idea then; perhaps he has changed it to-day, and I hope he has.

Mr. BINGHAM. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. BINGHAM. I thought the Senator was listening to me to-day; he was sitting there, but I realize now he was not listening.

Mr. NORRIS. I was listening. I just stated what the Senator said on yesterday; I did not relate what he said to-day; I have not come down to to-day as yet.

Mr. BINGHAM. The Senator did not tell the Senate what I said to-day.

Mr. NORRIS. If the Senator will wait, I will come to to-day and state what the Senator said to-day.

Mr. BINGHAM. I said I made a mistake—the Senator could not expect me to say anything more on yesterday when I spoke of 9,000 manholes. I said to-day that I had made a mistake; that there were 8,000 catch basins, and if the Senator thinks it is amusing he may proceed as he pleases.

Mr. NORRIS. I thank the Senator for giving me permission to proceed.

Mr. BINGHAM. The Senator is quite welcome.

Mr. NORRIS. I appreciate that very much.

Mr. BINGHAM. I know the Senator does.

Mr. NORRIS. Because I realize that if I did not have the Senator's permission I would have to sit down, and so I thank the Senator for his permission.

The Senator believes in aviation; he flies all over the country; he is on every aviation committee that is appointed anywhere in this vicinity; and yet he has gone back on the pride of his heart. Mosquitoes can not be chased with automobiles, for mosquitoes get off the pavement and automobiles can not follow them; and he ought to have the mosquito chasing done by flying machines rather than by automobiles. Then we might get somewhere.

Mr. President, I did not intend to discuss the mosquito question. I have no objection to the proper use of public funds to eradicate mosquitoes; it is a very proper thing to do; but the amendment provides for the buying of passenger-carrying automobiles. Such a provision is in the amendment which the Senator had adopted by the Senate in relation to the eradication of mosquitoes. Can a mosquito be chased with a passenger-carrying automobile better than he can be chased with one which does not carry passengers? How far is it proposed to carry passengers when the hunt for mosquitoes starts? Yet such a provision is in the amendment which the Senator advocated and to which the Senate has agreed—an appropriation for passenger-carrying automobiles. That is what some of the money is going to be spent for.

Now, however, when we come to an appropriation of \$25,000 to give the people of the Capital City the facts about municipal ownership, the Senator backs up. Why? Because the representative of the Power Trust in Washington said he did not want it. So the amendment has got to go out. If the Senate wants to put it out, I should like to have it put it out on a record vote, and I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee on page 43, beginning in line 4, on which the Senator from Nebraska demands the yeas and nays. Is there a second?

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BLEASE (when his name was called). I have a general pair with the Senator from West Virginia [Mr. GOFF]. I transfer that pair to the Senator from Louisiana [Mr. BROUSSARD] and vote "yea."

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Mississippi [Mr. HARRISON]. I am not advised as to how he would vote if present. If I were permitted to vote, I should vote "nay."

Mr. FRAZIER (when Mr. Nye's name was called). My colleague [Mr. Nye] is unavoidably absent. If present, he would vote "nay."

Mr. OVERMAN (when Mr. SIMMONS's name was called). My colleague [Mr. SIMMONS] is unavoidably detained from the Senate. He is paired with the Senator from Massachusetts [Mr. GILLET].

Mr. WATSON (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Maine [Mr. GOULD] and vote "yea."

The roll call was concluded.

Mr. PHIPPS (after having voted in the affirmative). I have a pair with the Senator from Georgia [Mr. GEORGE], which I transfer to the Senator from New Jersey [Mr. KEAN], and will allow my vote to stand.

Mr. METCALF (after having voted in the affirmative). I have a general pair with the Senator from Maryland [Mr. TYDINGS]. Not knowing how he would vote, I transfer that pair to the Senator from Delaware [Mr. HASTINGS] and will allow my vote to stand.

Mr. McNARY. I wish to announce the following general pairs:

The Senator from Ohio [Mr. FESS] with the Senator from New York [Mr. COPELAND];

The Senator from Pennsylvania [Mr. GRUNDY] with the Senator from Florida [Mr. FLETCHER];

The Senator from New Hampshire [Mr. MOSES] with the Senator from Utah [Mr. KING];

The Senator from Ohio [Mr. McCULLOCH] with the Senator from Oklahoma [Mr. THOMAS];

The Senator from Rhode Island [Mr. HEBERT] with the Senator from Alabama [Mr. HEFLIN];

The Senator from Maryland [Mr. GOLDSBOROUGH] with the Senator from Montana [Mr. WALSH];

The Senator from Missouri [Mr. PATTERSON] with the Senator from New York [Mr. WAGNER];

The Senator from Massachusetts [Mr. GILLET] with the Senator from North Carolina [Mr. SIMMONS]; and

The Senator from Vermont [Mr. GREENE] with the Senator from Massachusetts [Mr. WALSH].

I am not advised as to how any of the Senators mentioned would vote on this question.

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. If present, he would vote "nay."

Mr. McKELLAR. I have a general pair with the Senator from Delaware [Mr. TOWNSEND]. I transfer that pair to the Senator from Arizona [Mr. ASHURST] and vote "nay."

The result was announced—yeas 19, nays 30, as follows:

YEAS—19

Baird	Glenn	Oddie	Sullivan
Bingham	Hale	Phipps	Vandenberg
Blease	Kendrick	Pine	Walcott
Dale	Keyes	Reed	Watson
Deneen	Metcalf	Robinson, Ind.	

NAYS—30

Allen	Caraway	Hatfield	Schall
Barkley	Connally	Hayden	Sheppard
Black	Couzens	Howell	Shipstead
Blaine	Cutting	Jones	Swanson
Borah	Dill	McKellar	Trammell
Bratton	Frazier	Norris	Wheeler
Brock	Glass	Overman	
Capper	Harris	Robinson, Ark.	

NOT VOTING—47

Ashurst	Grundy	McNary	Steck
Brookhart	Harrison	Moses	Steiver
Broussard	Hastings	Norbeck	Stephens
Copeland	Hawes	Nye	Thomas, Idaho
Fess	Hebert	Patterson	Thomas, Okla.
Fletcher	Hefflin	Pittman	Townsend
George	Johnson	Ransdell	Tydings
Gillett	Kean	Robison, Ky.	Wagner
Goff	King	Shortridge	Walsh, Mass.
Goldsborough	La Follette	Simmons	Walsh, Mont.
Gould	McCulloch	Smith	Waterman
Greene	McMaster	Smoot	

So the amendment of the committee was rejected.

Mr. McNARY. Mr. President, I ask unanimous consent that when the Senate concludes its session to-day it adjourn until Monday at 12 o'clock.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that when the Senate concludes its session to-day it adjourn until Monday next at 12 o'clock? The Chair hears none, and it is so ordered. The clerk will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "Public schools," on page 43, line 18, to strike out "\$664,500" and insert "including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, \$669,500," so as to read:

Salaries: For personal services of administrative and supervisory officers in accordance with the act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat. 367-375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, \$669,500.

The amendment was agreed to.

The next amendment was, on page 43, line 22, to increase the appropriation for personal services of clerks and other employees under the public schools from \$154,800 to \$161,300.

The amendment was agreed to.

The next amendment was, on page 44, line 5, after the parenthesis, to insert a comma and "including for teachers colleges assistant professors in salary class 3 with additional compensation of \$300 per annum each," and in line 8 to strike out "\$6,188,840: *Provided*, That as teacher vacancies occur during the fiscal year 1931 in grades 1 to 4, inclusive, of the elementary schools, such vacancies shall not be filled by new appointments,

but shall be filled by the assignment of teachers now employed in kindergartens, and teachers employed in kindergartens are hereby made eligible to teach in the said grades" and insert "\$6,272,000," so as to read:

Salaries: For personal services of teachers and librarians in accordance with the act approved June 4, 1924 (43 Stat. 367-375), including for teachers colleges assistant professors in salary class 3 with additional compensation of \$300 per annum each, and professors in salary class 9, \$6,272,000.

Mr. BRATTON. Mr. President, in connection with the amendment pending before the Senate, some apprehension has been entertained by residents of the District lest the amendment in question fail to include a sufficient sum to continue the present force of kindergarten teachers in the schools of the District.

After conferring with certain individuals, I addressed an inquiry to Major Donovan, auditor of the District, and a similar one to Doctor Ballou, superintendent of schools. Each of them replied. In each letter assurance is given that if the amendment of the committee is adopted adequate funds will be provided to retain the whole force of 187 kindergarten teachers.

In order that there may be no further misunderstanding about this matter, I ask that the two letters be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letters are as follows:

GOVERNMENT OF THE DISTRICT OF COLUMBIA,
OFFICE OF THE AUDITOR,
Washington, April 30, 1930.

Hon. SAM G. BRATTON,
United States Senate, Washington, D. C.

MY DEAR SENATOR BRATTON: The following information is furnished you pursuant to your request of me over the telephone this morning:

On page 44 of the Senate subcommittee print of the District appropriation bill for 1931 appears the appropriation for salaries of teachers and librarians in the public schools. The amount allowed by the House for this purpose is \$6,188,840. The amount allowed by the Senate subcommittee is \$6,272,000. The difference of \$83,160 represents the exact amount contained in the estimates of the District of Columbia as submitted to Congress by the Budget Bureau for 38 new positions with salaries totaling \$77,160, including 8 professors in teachers' colleges and \$6,000 for the conversion of 20 class 3 salaries to assistant professors in teachers' colleges.

The amount of the Senate subcommittee estimate, \$6,272,000, is sufficient to carry the present teaching force in the public schools and the existing number of kindergarten teachers as such; it is also sufficient to carry all the additional positions approved by the Budget Bureau; and the \$6,000 for additional compensation of \$300 each for assistant professors in teachers' colleges, as proposed by the amendment added to the teachers' salary item by the Senate subcommittee.

There are now 187 kindergarten teachers in the public schools. As the District bill for 1931 passed the House of Representatives it contemplated the absorption of 78 kindergarten teachers in elementary grades 1 to 4, inclusive. Since the hearings before the House subcommittee 4 kindergarten teachers have been transferred to elementary grades, so that should the House proviso be carried in the District bill for 1931 as enacted it would mean the absorption of the remaining 74 kindergarten teachers in the elementary grades.

The amount of the appropriation item, \$6,272,000, approved by the Senate subcommittee, with the elimination of the House proviso, would also permit of the return of the four kindergarten teachers referred to to kindergarten classes.

Briefly stated, the \$6,272,000 is sufficient to maintain all teaching positions in the public schools as they now exist, plus provision for the additional number of teachers approved by the Budget Bureau and plus provision as recommended by the Budget Bureau for the teachers' colleges.

I trust that this letter supplies the full information desired by you.

With kind personal regards, believe me, very sincerely yours,

D. J. DONOVAN,
Auditor of the District of Columbia.

WASHINGTON, D. C., May 1, 1930.

Hon. SAM G. BRATTON,
United States Senate, Washington, D. C.

MY DEAR SENATOR BRATTON: I have before me your letter of April 30, 1930, in which you inquire concerning the effect of the provisions of the appropriations bill, as reported by the Senate committee, as those provisions relate to the kindergartens in the public schools of Washington. I appreciate your interest in this matter and take pleasure in submitting the following statement:

The appropriations bill, as reported to the Senate on April 21 (calendar day of April 28), provides \$6,272,000 for services of teachers and librarians. This is the exact amount of the estimates submitted by the

Bureau of the Budget and provides salaries for the present teaching force, including kindergartners, the additional teachers authorized by the Bureau of the Budget, and additional payments for assistant professors in the teachers' colleges. The final appropriation of this amount in the law would not necessitate a decrease in the number of kindergarten teachers, and by the elimination of the legislative provision introduced in the House the transfer of kindergartners to teach grade classes would be unlawful, since by law and the rules of the Board of Education they are not now eligible for such transfer.

There are now employed in the service 187 kindergartners. As has already been said, they will not be affected in any way by the provisions of the appropriations bill now under consideration in the Senate. Attention is invited to the fact that, as enrollment in a given kindergarten declines, kindergarten teachers are transferred to other points, or, in case a kindergartner resigns, the salary might be transferred to a grade position and a new teacher appointed to teach a regular grade class. Such shifts of salaries have heretofore been necessary and are likely to be necessary in the future. This is, however, a matter of administration and utilization of salaries rather than a matter of transferring persons from one position to another.

If this information is not clear, or if there is any additional information which you may desire, I shall be glad to have you so advise me.

I appreciate very much your continued interest in the welfare of the public schools of the District of Columbia.

Yours very sincerely,

FRANK W. BALLOU,
Superintendent of Schools.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, under the subhead "Community center department," on page 47, line 3, to strike out "\$42,000" and insert "\$45,000," so as to read:

For personal services of the director, general secretaries, and community secretaries in accordance with the act approved June 4, 1924 (43 Stat. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities, and contingent expenses, equipment, supplies, and lighting fixtures, \$45,000.

The amendment was agreed to.

The next amendment was, under the subhead "Care of buildings and grounds," on page 47, line 10, to strike out "\$786,890" and insert "\$806,910," so as to read:

Salaries: For personal services, including care of smaller buildings and rented rooms at a rate not to exceed \$96 per annum for the care of each school room, other than those occupied by atypical or ungraded classes, for which service an amount not to exceed \$120 per annum may be allowed, \$806,910.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 47, after line 13, to insert:

For expenses of operating schools for crippled pupils, including personal services, \$2,400; equipment, \$10,000; and maintenance, \$4,000; in all, \$16,400.

The amendment was agreed to.

The next amendment was, on page 47, after line 16, to strike out:

For transportation for pupils attending schools for tubercular pupils, \$7,000: *Provided*, That expenditures for street-car and bus fares from this fund shall not be subject to the general limitations on the use of street-car and bus fares covered by this act.

For transportation for pupils attending schools for crippled pupils, \$12,000: *Provided*, That expenditures for street-car and bus fares from this fund shall not be subject to the general limitations on the use of street-car and bus fares covered in this act.

And in lieu thereof to insert:

For transportation for pupils attending schools for tubercular pupils, and for pupils attending schools for crippled pupils, \$20,000: *Provided*, That expenditures for street-car and bus fares from this fund shall not be subject to the general limitations on the use of street-car and bus fares covered by this act.

The amendment was agreed to.

The next amendment was, on page 49, after line 11, to strike out:

No money appropriated in this act for the purchase of furniture and equipment for the public schools of the District of Columbia shall be expended unless the requisitions of the Board of Education therefor shall be approved by the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was, on page 50, line 5, before the words "to be," to strike out "\$231,000" and insert "including not to exceed \$9,000 for personal services, \$240,000," so as to read:

For an additional amount for textbooks and other educational books and supplies, as authorized by the act of January 31, 1930 (Public, No. 41, 71st Cong.), including not to exceed \$9,000 for personal services, \$240,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 51, line 16, after the word "exceed," to strike out "\$4,000" and insert "\$5,000," so as to read:

For repairs and improvements to school buildings, repairing and renewing heating, plumbing, and ventilating apparatus, installation and repair of electric equipment, and installation of sanitary drinking fountains, and maintenance of motor trucks, including not to exceed \$5,000 for purchase of one 5-ton truck, \$475,000.

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and grounds," on page 52, after line 12, to strike out:

For the construction of a 12-room addition and two gymnasiums at the Gordon Junior High School in accordance with the original plans for the construction of said building, \$255,000.

The amendment was agreed to.

The next amendment was, on page 53, line 3, before the word "including," to insert "including a combination gymnasium and assembly hall, and," and at the end of line 4, after the word "building," to strike out "\$90,000" and insert "\$130,000," so as to read:

For the construction of a 4-room addition to the Congress Heights School, including a combination gymnasium and assembly hall, and including the necessary remodeling of the present building, \$130,000.

The amendment was agreed to.

The next amendment was, on page 53, after line 15, to insert:

For beginning the treatment of grounds, including the construction of necessary roads, walks, sewers, water mains, and gas and telephone service connections, on the property acquired by the District of Columbia in northeast Washington for a junior high school, and a platoon school for colored pupils, \$50,000.

The amendment was agreed to.

The next amendment was, on page 54, line 12, after the name "Deanwood School," to strike out "\$50,000" and insert "including a combination gymnasium and assembly hall, \$100,000," so as to read:

For the construction of a 4-room addition to the Deanwood School, including a combination gymnasium and assembly hall, \$100,000.

The amendment was agreed to.

The next amendment was, on page 54, after line 13, to insert:

For the construction of an 8-room addition at the Douglass-Simmons School, including the necessary remodeling of the present building, \$140,000.

The amendment was agreed to.

The next amendment was, on page 55, line 10, to reduce the total appropriation for buildings and grounds, public schools, from \$3,240,000 to \$3,235,000.

The amendment was agreed to.

The next amendment was, on page 56, after line 11, to insert:

For purchase of a site on which to locate an 8-room extensible building west of Connecticut Avenue and north of Jenifer Street;

The amendment was agreed to.

The next amendment was, on page 56, after line 14, to insert:

For the purchase of land adjoining the Harrison School.

The amendment was agreed to.

The next amendment was, on page 57, line 1, after the words "In all," to strike out "\$360,700" and insert "\$458,200," so as to read:

In all, \$458,200: *Provided*, That with the exception of \$85,700, no part of this appropriation shall be expended for the purchase of any site the cost of which shall exceed the full value assessment of such property last made before purchase thereof plus 25 per cent of such assessed value: *Provided further*, That part or parts of a site may be purchased under the 125 per cent limitation if the total cost of the part or parts acquired does not at the time of such purchase exceed 125 per cent of the assessed value.

The amendment was agreed to.

The next amendment was, under the heading "Metropolitan police, salaries," on page 59, line 23, after the word "department," to strike out "\$2,762,880: *Provided*, That no part of this

appropriation shall be available for the payment of compensation to any person appointed during the fiscal year 1931 as a private on the Metropolitan police force of the District of Columbia who has not completed an eighth grade common school education", and insert "\$2,807,880," so as to read:

For the pay and allowances of officers and members of the Metropolitan police force, in accordance with the act entitled "An act to fix the salaries of the Metropolitan police force, the United States park police force, and the fire department of the District of Columbia" (43 Stat. 174-175), including compensation at the rate of \$2,100 per annum for the present assistant property clerk of the police department, \$2,807,880.

The amendment was agreed to.

The next amendment was, on page 60, line 4, to increase the appropriation for personal services in the police department from \$117,350 to \$118,820.

The amendment was agreed to.

The next amendment was, under the subhead "Miscellaneous," on page 61, line 16, after the word "condemned," to strike out "\$80,000," and insert "\$82,000," so as to read:

For purchase and maintenance of passenger-carrying and other motor vehicles and the replacement of those worn out in the service and condemned, \$82,000.

The amendment was agreed to.

The next amendment was, on page 61, line 22, after the word "another," to strike out "\$61,775" and insert "\$63,650," so as to read:

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan police, including cleaning, alteration, and repair of articles transferred from one individual to another, \$63,650.

The amendment was agreed to.

The next amendment was, under the subhead "House of detention," on page 61, line 24, after the word "maintenance," to insert "including rent"; on page 62, line 8, after the word "expenses," to strike out "\$10,250" and insert "\$18,250"; in the same line, after the word "services," to strike out "\$10,440; in all, \$20,690" and insert "\$10,620; in all, \$28,870," so as to read:

For maintenance, including rent, of a suitable place for the reception and detention of girls and women over 17 years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, the purchase and maintenance of necessary motor vehicles, clinic supplies, food, upkeep and repair of building, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, \$18,250; for personal services, \$10,620; in all, \$28,870.

The amendment was agreed to.

The next amendment was, under the heading "Fire department, salaries," on page 63, line 3, to increase the appropriation for personal services in the fire department from \$9,440 to \$9,580.

The amendment was agreed to.

The next amendment was, under the heading "Health department, salaries," on page 64, line 14, to increase the appropriation for personal services in the health department from \$187,790 to \$190,810.

The amendment was agreed to.

The next amendment was, on page 66, line 10, after the word "expenses," to strike out "\$25,400" and insert "\$29,000," so as to read:

For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, \$29,000.

The amendment was agreed to.

The next amendment was, on page 67, line 2, after the word "clinics," to strike out "\$101,980" and insert "\$102,100," so as to read:

HYGIENE AND SANITATION, PUBLIC SCHOOLS

Salaries: For personal services in the conduct of hygiene and sanitation work in the public schools, including the necessary expenses of maintaining free dental clinics, \$102,100.

The amendment was agreed to.

The next amendment was, under the heading "Courts and prisons," on page 69, line 5, to increase the appropriation for personal services under the juvenile court from \$59,490 to \$60,610.

The amendment was agreed to.

The next amendment was, on page 69, line 24, to increase the appropriation for personal services under the police court from \$100,740 to \$101,120.

The amendment was agreed to.

The next amendment was, under the subhead "Municipal court," on page 70, line 20, after the word "grade," to strike out "\$71,670" and insert "\$72,090," so as to read:

Salaries: For personal services, including compensation of five judges, without reference to the limitation in this act restricting salaries within the grade, \$72,090.

The amendment was agreed to.

The next amendment was, on page 71, after line 4, to insert "For rent of building, \$4,800."

The amendment was agreed to.

The next amendment was, on page 72, line 1, after the word "for," to strike out "not exceeding one crier in each court, of." Mr. McKELLAR. Mr. President, this is the amendment that I spoke to the Senator about yesterday. It is clearly contrary to existing law, and I ask that the amendment be rejected.

Mr. BINGHAM. I have no objection, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

Mr. McKELLAR. Mr. President, in that connection I desire to have printed in the RECORD the existing law.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

SEC. 9. (Judicial Code, sec. 5.) Criers and bailiffs.—The district court for each district may appoint a crier for the court, and the marshal may appoint such number of persons, not exceeding the number appropriated for by Congress, as the judge may determine, to wait upon the grand juries, and for other necessary purposes.

SEC. 61. Jurisdiction.—The said court (Supreme Court of the District of Columbia) shall possess the same powers and exercise the same jurisdiction as the circuit and district courts of the United States, and shall be deemed a court of the United States, and shall also have and exercise all the jurisdiction possessed and exercised by the Supreme Court of the District of Columbia under the act of Congress approved March 3, 1863, creating that court, and at the date of the passage of this code.

SEC. 65. The general term of said court shall be open at all time for the transaction of business; and said court * * * may appoint a clerk, an auditor, and also a crier and a messenger for each court in special term, and all other officers of the court necessary for the due administration of justice, with the exception of all officers and employees in any manner connected with the probate term, and also United States commissioners; * * *.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, in line 6, after the word "commissioners," to strike out "\$44,620" and insert "\$48,940," so as to read:

Pay of bailiffs: For not exceeding one crier in each court, of office deputy marshals who act as bailiffs or criers, and for expenses of meals and lodging for jurors in United States cases and of bailiffs in attendance upon same when ordered by the court, clerk of jury commissioners, and per diems of jury commissioners, \$48,940: *Provided*, That the compensation of each jury commissioner for the fiscal year 1931 shall not exceed \$250.

The amendment was agreed to.

The next amendment was, on page 72, line 13, after the name "District of Columbia," to strike out "\$35,000" and insert "\$37,700," so as to read:

Courthouse: For personal services for care and protection of the courthouse, under the direction of the United States marshal of the District of Columbia, \$37,700, to be expended under the direction of the Attorney General.

The amendment was agreed to.

The next amendment was, under the subhead "Court of Appeals," on page 72, line 24, after the word "service," to strike out "\$28,300" and insert "\$29,060," and on page 73, line 1, after the words "in all," to strike out "\$66,750" and insert "\$67,510," so as to read:

Salaries: Chief justice and two associate justices, at \$12,500 each; all other officers and employees of the court, including reporting service, \$29,060; necessary expenditures in the conduct of the clerk's office, \$950; in all, \$67,510.

The amendment was agreed to.

The next amendment was, on page 74, line 20, to increase the appropriation for personal services under the Board of Public Welfare from \$109,700 to \$113,360.

The amendment was agreed to.

The next amendment was, on page 76, line 4, after the word "exceed," to strike out "\$13,280" and insert "\$13,460," and in line 5, after the name "District of Columbia," to strike out "\$133,200" and insert "\$133,380," so as to read:

To carry out the purposes of the act entitled "An act to provide home care for dependent children in the District of Columbia," approved June 22, 1926 (44 Stat. 758-760), including not to exceed \$13,460 for personal services in the District of Columbia, \$133,380.

The amendment was agreed to.

The next amendment was, on page 77, line 8, to increase the appropriation for personal services for the jail from \$76,710 to \$77,790.

The amendment was agreed to.

The next amendment was, on page 77, line 17, to increase the appropriation for personal services for general administration, workhouse, and reformatory, District of Columbia, from \$229,700 to \$241,620.

The amendment was agreed to.

The next amendment was, under the subhead "National Training School for Girls," on page 80, line 8, after the word "services," to strike out "\$30,000: *Provided*, That the Board of Public Welfare is authorized and directed to transfer girls confined in the branch of the National Training School for Girls at Muirkirk, Md., and confine them in the National Training School for Girls on the Conduit Road in the District of Columbia" and insert "\$39,240," so as to read:

Salaries: For personal services, \$39,240.

The amendment was agreed to.

The next amendment was, on page 81, line 2, after the word "vehicles," to strike out "\$38,000" and insert "\$40,000," so as to read:

For groceries, provisions, light, fuel, soap, oil, lamps, candles, clothing, shoes, forage, horseshoeing, medicines, medical attendance, transportation, labor, sewing machines, fixtures, books, magazines, and other supplies which represent greater educational advantages, stationery, horses, vehicles, harness, cows, pigs, fowls, sheds, fences, repairs, typewriting, stenography, and other necessary items, including compensation not exceeding \$1,500 for additional labor or services, for identifying and pursuing escaped inmates and for rewards for their capture, for transportation and other necessary expenses incident to securing suitable homes for paroled or discharged girls, and for maintenance of nonpassenger-carrying motor vehicles, \$40,000.

The amendment was agreed to.

The next amendment was, on page 81, after line 2, to insert:

For purchase and installation of additional fire-protection equipment, \$12,250.

The amendment was agreed to.

The next amendment was, on page 81, line 21, to increase the appropriation for personal services under the tuberculosis hospital from \$74,800 to \$76,280.

The amendment was agreed to.

The next amendment was, on page 82, after line 4, to insert:

For the purchase of a site for a children's tuberculosis sanatorium, and for commencing construction of a sanatorium building, nurses' and employees' home, and superintendent's quarters, including necessary approaches and roadways, heating and ventilating apparatus, equipment and accessories, and salary of superintendent to be fixed in accordance with the classification act of 1923, as amended, \$150,000, to be immediately available, together with the unexpended balance of the appropriation of \$150,000 for the erection of a new health school and sanatorium for colored pupils contained in the District of Columbia appropriation act for the fiscal year 1930, which is hereby reappropriated and made immediately available for the purposes of this paragraph, and the Commissioners of the District of Columbia are authorized to enter into contract or contracts for the construction of such buildings at a cost not to exceed \$530,000.

The amendment was agreed to.

The next amendment was, on page 82, line 23, to increase the appropriation for personal services, including not to exceed \$1,000 for temporary labor, under the Gallinger Municipal Hospital, from \$325,300 to \$330,300.

The amendment was agreed to.

The next amendment was, on page 83, line 17, to increase the appropriation for personal services, including not to exceed \$1,000 for temporary labor, under the District Training School, from \$76,000 to \$78,420.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial Home School for Colored Children," on page 84, line 20, after the word "services," to strike out "\$33,460" and insert

"\$34,040," and in line 21, after the words "in all," to strike out "\$33,960" and insert "\$34,540," so as to read:

Salaries: For personal services, \$34,040; temporary labor, \$500; in all, \$34,540.

The amendment was agreed to.

The next amendment was, under the subhead "Industrial Home School," on page 85, line 16, after the word "services," to strike out "\$25,500" and insert "\$25,900," and in line 17, after the words "in all," to strike out "\$26,000" and insert "\$26,400," so as to read:

Salaries: For personal services, \$25,900; temporary labor, \$500; in all, \$26,400.

The amendment was agreed to.

The next amendment was, under the heading "Home for Aged and Infirm," on page 86, line 2, after the word "services," to strike out "\$56,600" and insert "\$58,480," and in line 3, after the words "in all," to strike out "\$58,600" and insert "\$60,480," so as to read:

Salaries: For personal services, \$58,480; temporary labor, \$2,000; in all, \$60,480.

The amendment was agreed to.

The next amendment was, under the subhead "Municipal lodging house and wood yard," on page 87, line 2, after the word "services," to strike out "\$3,660" and insert "\$3,720," and in line 3, after the words "in all," to strike out "\$6,660" and insert "\$6,720," so as to read:

For personal services, \$3,720; maintenance, \$3,000; in all, \$6,720.

The amendment was agreed to.

Mr. BINGHAM. Mr. President, I ask that in line 7, page 87, the word "building" may be corrected to read "buildings."

The PRESIDING OFFICER. The amendment will be stated. The CHIEF CLERK. On page 87, line 7, it is proposed to strike out "building" and insert "buildings."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Temporary Home for Union Ex-Soldiers and Sailors (Department of the Potomac, G. A. R.)," on page 87, line 6, after the word "services," to strike out "\$4,740" and insert "\$4,800," and in line 9, after the words "in all," to strike out "\$15,940" and insert "\$16,000," so as to read:

For personal services, \$4,800; maintenance, \$9,200; and repairs to buildings and grounds, including not to exceed \$1,500 for furnishing and installing fire escape, \$2,000; in all, \$16,000, to be expended under the direction of the commissioners; and Union ex-soldiers, sailors, or marines of the Civil War, ex-soldiers, sailors, or marines of the Spanish War, Philippine Insurrection, or China relief expedition, and soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management.

The amendment was agreed to.

The next amendment was, under the heading "Militia," on page 90, line 21, after the word "services," to strike out "\$18,950" and insert "\$27,170," and in line 22, after the words "in all," to strike out "\$25,950" and insert "\$34,170," so as to read:

For personal services, \$27,170, temporary labor, \$7,000; in all, \$34,170.

The amendment was agreed to.

The next amendment was, under the heading "Public Buildings and Public Parks," on page 92, line 12, to increase the appropriation for personal service under the public parks, District of Columbia, from \$405,000 to \$413,357.

The amendment was agreed to.

The next amendment was, on page 93, line 12, after the words "so forth," to strike out "\$687,555" and insert "\$727,555," so as to read:

GENERAL EXPENSES, PUBLIC PARKS

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains, and reservations, propagating gardens and greenhouses under the jurisdiction of the Office of Public Buildings and Public Parks of the National Capital, including \$5,000 for the maintenance of the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per diem rates of pay approved by the director, not exceeding current rates of pay for similar employment in the District of Columbia; the hire of draft animals with or without drivers at local rates approved by the director; the purchase and maintenance of draft animals, nar-

ness, and wagons; contingent expenses; city directories; communication service; car fare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books; blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the maintenance, repair, exchange, and operation of not to exceed four motor-propelled passenger-carrying vehicles and all necessary bicycles, motor cycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, and so forth, \$727,555.

The amendment was agreed to.

The next amendment was, on page 93, line 13, after the word "exceeding," to strike out "\$35,000" and insert "\$38,000," and in line 21, after the words "sea wall," to insert "not exceeding \$37,000 for grading and improving the roadways of Rock Creek Park to the District line," so as to make the proviso read:

Provided, That not exceeding \$38,000 of the amount herein appropriated may be expended for placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; not exceeding \$25,000 for the improvement and maintenance as recreation parks of sections C and D, Anacostia Park; not exceeding \$134,755 for the improvement of the Rock Creek and Potomac connecting parkway and the completion of construction of sea wall; not exceeding \$37,000 for grading and improving the roadways of Rock Creek Park to the District line; not exceeding \$100,000 for the improvement of Meridian Hill Park, to remain available until June 30, 1932; not exceeding \$40,000 for completing the construction of a sidewalk and protective railing along the sea wall of East Potomac Park; and not exceeding \$15,000 for the erection of minor auxiliary structures.

The amendment was agreed to.

The next amendment was, under the subhead "Washington Aqueduct," on page 98, line 9, after the word "services," to strike out "\$177,440" and insert "\$178,800," so as to read:

For revenue and inspection and distribution branches: For personal services, \$178,800.

The amendment was agreed to.

The next amendment was, on page 100, after line 12, to strike out:

The following schedule of water rents in the District of Columbia shall be fixed by the commissioners of said District, to be effective on and after July 1, 1930:

For the use of water for domestic purposes through unmetered service, \$9.85 per annum for all tenements two stories high, or less, with a front width of 16 feet, or less; for each additional front foot or fraction thereof greater than one-half, 62 cents; and for each additional story or part thereof, one-third of the charges as computed above. For business places that are not required to install meters under existing regulations, the present rates to be increased by 40 per cent per annum. For the use of water through metered services, a minimum charge of \$8.75 per annum for 7,500 cubic feet of water, and 7 cents per 100 cubic feet for water used in excess of that quantity. For water for building construction purposes when not supplied through a meter, 6 cents per 1,000 brick and 3 cents per cubic yard of concrete, with a minimum charge of \$1 for each separate building project. All water required for purposes which are not covered by the foregoing classifications shall be paid for at such rates as may be fixed by the Commissioners of the District of Columbia: *Provided*, That the rate of assessment for laying or constructing water mains in the District of Columbia under the provisions of the act entitled "An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes," approved April 22, 1904 (33 Stat. 244), is hereby increased from \$2 to \$3 per linear front foot for any water main laid during the fiscal year 1931 and thereafter.

Mr. HOWELL. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. Is this an amendment to the committee amendment?

Mr. HOWELL. Yes; this is the last committee amendment. Mr. McKELLAR. It has not been agreed to.

The PRESIDING OFFICER. No. The Senator from Nebraska, as the Chair understands, offers an amendment to the committee amendment, which will be stated.

The CHIEF CLERK. On page 100, line 17, strike out "\$9.85" and insert in lieu thereof "\$8.09." In line 20, strike out "62" and insert in lieu thereof "51." In line 24, strike out "40" and insert in lieu thereof "15." In line 25, strike out "\$8.75" and insert in lieu thereof "\$7.13."

On page 101, in line 1, strike out "7" and insert in lieu thereof "6½."

On page 101, after line 18, insert the following paragraph:

For fire hydrant rental tax at the rate of \$46 per hydrant, \$234,600, said amount to be charged to the general revenues of the District of Columbia and credited to the water fund.

Mr. BINGHAM. Mr. President, in order that the Senate may consider the amendment offered by the Senator from Nebraska it is necessary first to ask that the committee amendment be rejected. Therefore I ask that that be done.

The PRESIDING OFFICER. No. The Chair understands that the Senator from Nebraska desires to offer this amendment to the text of the bill before the motion to strike out is agreed to. Then he will want to disagree to the committee amendment as amended.

Mr. BINGHAM. No, Mr. President; I understand that the Senator from Nebraska does not desire to disagree to the entire amendment as amended, but that he has an amendment which he desires to offer in lieu of the committee amendment. Therefore, instead of striking out all of the matter on page 101, as recommended by the committee, the Senator from Nebraska desires to have that left in, but to change the rates.

The PRESIDING OFFICER. Without objection, the committee amendment will be rejected.

Mr. BINGHAM. That is the correct parliamentary situation. The PRESIDING OFFICER. That restores the text of the bill.

Mr. BINGHAM. That is correct.

Now I ask unanimous consent that the amendment offered by the Senator from Nebraska may be considered.

The PRESIDING OFFICER. Without objection, the amendment will be considered at this time.

Mr. BINGHAM. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nebraska.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, as I understand, that completes the committee amendments; and, as I gave notice yesterday, I offer the amendment which I send to the desk, on page 2, after line 12.

The PRESIDING OFFICER. The Senator from Tennessee offers an amendment, which will be stated.

The CHIEF CLERK. On page 2, after line 12, it is proposed to insert the following:

That the Commissioners of the District of Columbia be, and they are hereby, authorized to continue William Tindall in the service of the government of the District of Columbia notwithstanding the provisions of the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, as amended.

Mr. BINGHAM. Mr. President, I ask the Senator if he will not be so good as to propose that amendment to be inserted on page 4, after line 9?

Mr. McKELLAR. That will be entirely satisfactory.

Mr. President, I want to take just a moment to say a word about this amendment.

The Committee on the District of Columbia has made a report at the present session authorizing the continuance of William Tindall in the service of the government of the District of Columbia, and, having considered the same, reported favorably on it, and it was duly passed by the Senate.

Doctor Tindall recently reached the age of 85 and next August he would be retired from the service. The report from the committee stated that—

Despite his advanced age, Doctor Tindall is extraordinarily alert in mind and body, and is a veritable storehouse of information on the District government and the Capital generally.

He has served the District government for 61 years, having first been employed as secretary to the mayor of Washington. For many years he served faithfully and competently as secretary to the board of commissioners, and now he has charge of an information department at the Municipal Building.

Mr. President, I want to say just another word with reference to this very remarkable man.

Yesterday I moved to suspend the rules, so that I could offer an amendment to the District appropriation bill, the bill now pending, giving the District Commissioners the right to keep Dr. William Tindall in his position notwithstanding the civil service retirement law.

I was led to do that by the rather remarkable facts surrounding the case of Doctor Tindall. He was a Federal soldier. He took a distinguished part in the Civil War. He enlisted in the First Delaware Regiment of Gen. S. S. Carroll's brigade at the outbreak of the Civil War. He served gallantly in the Battles of Bull Run, Fredericksburg, Antietam, Gettysburg, and other historical engagements of the war. He was one of the heroes of Antietam, one of the bloodiest battles of that war. He has done a man's part in life ever since that war. He has been an efficient, faithful, and honest employee of his Government for 61 years. Notwithstanding his 85 years, he is in

possession of all his faculties, and can still work. He wants to work. He wants to die in harness.

Mr. President, I was one of the authors of the civil service law, and I believe in it, but there are exceptions to all rules. If there ever was a case in which there ought to be an exception, it is that of Doctor Tindall. In order for this amendment to pass, it must get two-thirds of the vote of the Senate. I want it to get every single vote of the Senate. I do not want a single vote cast against it, and I want to tell the reasons why.

The old Federal soldiers are no longer a political power in this country as they have been in times gone by. The Confederate soldiers down in my part of the country are no longer a political power as they have been in times gone by. The ranks are sadly thinning on both sides as the years go by.

On both sides they were honorable men. My father was a Confederate. I had two near relatives killed near Antietam. I honor them and respect them, and I honor and respect those who fought on the other side, and I think we should all honor and aid them whenever it is possible to do so. It will not be long now before none will remain, and those who do are entitled to our great sympathy, respect, esteem, and admiration, and whenever we can serve them and at the same time serve our Government, as in this case, we should do so.

Doctor Tindall has made a wonderful record in both peace and war. He only asks to be allowed to continue to work for his Government. His employers say that he still does good work, and I do not believe, knowing the Senate as I do, that there will be a single man in it who will vote against this amendment.

I want to thank the chairman of the committee for being willing to waive technicalities and allow a vote come on the amendment.

Mr. President, I was going to move the adoption of the amendment, but I ask that it may be unanimously agreed to.

Mr. BINGHAM. Mr. President, I hope the amendment may be agreed to.

The PRESIDING OFFICER. Without objection, the rule will be suspended and the amendment will be received, and, without objection, the amendment is unanimously agreed to.

Mr. BINGHAM. Mr. President, yesterday the Senator from Maryland [Mr. TYDINGS] got the Senate to approve an appropriation for arranging for an underpass under the tracks of the Baltimore & Ohio Railroad in the vicinity of Chestnut Street. The Senator is not here to-day, but due to inadvertence, when the text was put in, it stated "is hereby authorized to be appropriated." In accordance with the bill which the Senate had passed earlier in the day it should have read "is appropriated." I ask unanimous consent that the vote whereby the amendment was agreed to may be reconsidered, and that the amendment as corrected may be adopted.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the vote by which the amendment was agreed to is reconsidered, and the question is on agreeing to the amendment proposed by the Senator from Connecticut to the amendment of the Senator from Maryland.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. CAPPER. Mr. President, I move to strike out the item on page 7 regarding the farmers' produce market, lines 4 to 13, inclusive.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 7 it is proposed to strike out lines 4 to 13, inclusive, in the following words:

Farmers' produce market: For the acquisition of squares Nos. 354 and 355, including all necessary expenses for the clearing and leveling of the ground, the erection of protection sheds and suitable stands and stalls, and the installation of sanitary conveniences and heating and telephone service, in accordance with the provisions of the act entitled "An act authorizing acquisition of a site for the farmers' produce market, and for other purposes," approved March 2, 1929 (45 Stat. p. 1487), \$300,000, to be immediately available.

Mr. CAPPER. Mr. President, there are two groups—

Mr. McNARY. Mr. President, will the Senator yield to me?

Mr. CAPPER. I yield.

Mr. McNARY. I am advised that it would be a matter of prudence to have a short executive session to-day. I know this item is full of controversy; it can not be disposed of in a moment, and I was going to suggest to the Senator, if it meets with his pleasure, that he yield at this time to let us go into executive session, and that we take the matter up Monday.

Mr. CAPPER. That is agreeable to me.

Mr. GLASS. What is the suggestion?

Mr. McNARY. I suggest to the Senator from Virginia that the Senator from Kansas is proposing a matter which will lead to some debate. I desire to have a short executive session to meet the convenience of some Members of the Senate. I am

going to suggest now an executive session, and we will then adjourn over until Monday, at which time this item will come up.

Mr. GLASS. Mr. President, will the matter lead to any considerable debate?

Mr. CAPPER. I want to make a short statement, at any rate, as to why I think this item should be eliminated. Of course I have no means of knowing how much debate it will lead to, but certainly I will want a vote on the motion I have made to strike it from the bill.

Mr. GLASS. I shall not want to take any considerable time in stating my views of the case.

EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The PRESIDING OFFICER. Reports of committees are in order. If there be no reports of committees, the calendar is in order.

DIPLOMATIC AND FOREIGN SERVICE

The Chief Clerk read the nomination of William Dawson to be envoy extraordinary and minister plenipotentiary to Ecuador.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Leslie E. Reed to be consul general.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Edwin F. Stanton to be secretary.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk proceeded to read sundry nominations of consuls and Foreign Service officers.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc, and the President will be notified.

DEPARTMENT OF COMMERCE, PATENT OFFICE

The Chief Clerk read the nomination of Frank Petrus Edinburg to be examiner in chief.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Fred Merriam Hopkins to be Assistant Commissioner of Patents.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Paul Preston Pierce to be examiner in chief.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Elonzo Tell Morgan to be examiner in chief.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

CUSTOMS SERVICE

The Chief Clerk read the nomination of Jeannette A. Hyde to be collector of customs, district No. 32, Honolulu, Hawaii.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

The Chief Clerk read the nomination of Robert B. Morris to be collector of customs, district No. 22, Galveston, Tex.

The PRESIDING OFFICER. Without objection, the nomination is confirmed, and the President will be notified.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. PHIPPS. I ask that the postmasters be confirmed en bloc and the President notified.

The PRESIDING OFFICER. Without objection, the nominations are confirmed, and the President will be notified.

The Senate having resumed legislative session,

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION

A message from the House of Representatives by Mr. Hattigan, one of its clerks, announced that the Speaker had signed the following enrolled bills and joint resolution:

H. R. 645. An act for the relief of Lyra Van Winkle;

H. R. 1794. An act to authorize the payment of an indemnity to the owners of the British steamship *Kyleakin* for damages sustained as a result of a collision between that vessel and the U. S. S. *William O'Brien*;

H. R. 1954. An act for the relief of A. O. Gibbens;

H. R. 2902. An act to authorize the sale of the Government property acquired for a post-office site in Binghamton, N. Y.;

H. R. 3246. An act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio;

H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;

H. R. 6564. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 7069. An act for the relief of the heirs of Viktor Petterson;

H. R. 7832. An act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails, and for other purposes;

H. R. 8299. An act authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor;

H. R. 8578. An act to sell the present post-office site and building at Dover, Del.;

H. R. 8918. An act authorizing conveyance to the city of Trenton, N. J., of title to a portion of the site of the present Federal building in that city;

H. R. 9324. An act to dedicate for street purposes a portion of the old post-office site at Wichita, Kans.;

H. R. 9325. An act to authorize the United States Veterans' Bureau to pave the road running north and south immediately east of and adjacent to Hospital No. 90 at Muskogee, Okla., and to authorize the use of \$4,950 of funds appropriated for hospital purposes, and for other purposes;

H. R. 9407. An act to amend the act of Congress approved May 29, 1928, authorizing the Secretary of the Treasury to accept title to certain real estate, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians;

H. R. 9437. An act to authorize a necessary increase in the White House police force;

H. R. 9758. An act to authorize the Commissioners of the District of Columbia to close certain portions of streets and alleys for public-school purposes;

H. R. 9845. An act to authorize the transfer of Government-owned land at Dodge City, Kans., for public-building purposes; and

S. J. Res. 165. Joint resolution authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States District Court in and for the District of Delaware.

ADJOURNMENT UNTIL MONDAY

Mr. McNARY. I move that the Senate, in accordance with the unanimous-consent agreement made earlier in the day, adjourn until Monday.

The motion was agreed to; and the Senate (at 4 o'clock and 50 minutes p. m.), under the order previously entered, adjourned until Monday, May 12, 1930, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 9 (legislative day of May 8), 1930

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES
Owen J. Roberts, of Pennsylvania, to be an Associate Justice of the Supreme Court of the United States.

APPOINTMENTS, BY TRANSFER, IN THE ARMY TO JUDGE ADVOCATE GENERAL'S DEPARTMENT

Maj. Robert Washington Brown, Infantry (assigned to duty with Judge Advocate General's Department), with rank from September 11, 1929.

Capt. Alfred Goodrich Braden, jr., Infantry (detailed in Judge Advocate General's Department), with rank from July 1, 1920.

PROMOTION IN THE ARMY

To be colonels

Lieut. Col. Charles Ridgely White Morison, Infantry, from May 2, 1930.

Lieut. Col. Walter Lawrence Reed, Infantry, from May 6, 1930.

To be lieutenant colonels

Maj. Louis Bernard Chandler, Infantry, from May 2, 1930.

Maj. Charles Walker McClure, Quartermaster Corps, from May 6, 1930.

To be majors

Capt. Lawrence Cordell Frizzell, Cavalry, from May 2, 1930.

Capt. Guy Humphrey Drewry, Ordnance Department, from May 6, 1930.

To be captains

First Lieut. John Max Lentz, Field Artillery, from May 2, 1930.

First Lieut. Warren Hayford, 3d, Field Artillery, from May 2, 1930.

First Lieut. Charles Weess Hanna, Infantry, from May 6, 1930.

To be first lieutenants

Second Lieut. William Crowell Saffarrans, Infantry, from May 2, 1930.

Second Lieut. William Joseph Bradley, Cavalry, from May 2, 1930.

Second Lieut. Clark Louis Ruffner, Cavalry, from May 6, 1930.

MEDICAL CORPS

To be lieutenant colonels

Maj. Larry Benjamin McAfee, Medical Corps, from May 1, 1930.

Maj. Adam Edward Schlanser, Medical Corps, from May 2, 1930.

Maj. Joseph Edward Bastion, Medical Corps, from May 5, 1930.

Maj. Thomas Dupuy Woodson, Medical Corps, from May 6, 1930.

Maj. Alexander Taylor Cooper, Medical Corps, from May 7, 1930.

To be major

Capt. Ralph Ellis Murrell, Medical Corps, from May 7, 1930.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 9 (legislative day of May 8), 1930

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

William Dawson, to Ecuador.

CONSUL GENERAL

Leslie E. Reed.

SECRETARY IN DIPLOMATIC SERVICE

Edwin F. Stanton.

CONSULS

Knox Alexander.

Vinton Chapin.

Prescott Childs.

Lewis Clark.

William M. Gwynn.

George F. Kennan.

Gordon P. Merriam.

Samuel Reber, jr.

Joseph C. Satterthwaite.

S. Walter Washington.

FOREIGN SERVICE OFFICERS

CLASS 1

John K. Caldwell.

Louis G. Dreyfus, jr.

Douglas Jenkins.

Marion Letcher.

Alexander R. Magruder.

George S. Messersmith.

Willis R. Peck.

Roger Culver Tredwell.

CLASS 2

Coert du Bois.

Ernest L. Harris.

Theodore Jaekel.

Dana G. Munro.

R. Henry Norweb.

John Ball Osborne.

Louis Sussdorff, jr.

Benjamin Thaw, jr.

John C. Wiley.

CLASS 3

H. Merle Cochran.

Leon Dominian.

Edward A. Dow.

Paul Knabenshue.

Maxwell K. Moorhead.

Kenneth S. Patton.

Lowell C. Pinkerton.

Edward L. Reed.

James B. Young.

CLASS 4

Ralph C. Busser.

Hasell H. Dick.

Oscar S. Heizer.

John D. Johnson.

David J. D. Myers.

Leslie E. Reed.

Benjamin Reath Riggs.

Walter H. Sholes.

Merritt Swift.

Avra M. Warren.

Warden McK. Wilson.

CLASS 5

J. Webb Benton.

William P. Blocker.

Richard F. Boyce.

Austin C. Brady.

Robert Harnden.

Henry B. Hitchcock.

Karl deG. MacVitty.

James P. Moffitt.

Rudolf E. Schoenfeld.

Samuel Sokobin.

Francis R. Stewart.

John J. C. Watson.

CLASS 6

Donald F. Bigelow.
Thomas D. Davis.
Samuel S. Dickson.
Harold D. Finley.
Walter A. Foote.
Bernard Gotlieb.

CLASS 7

Maurice W. Altaffer.
Paul Bowerman.
Paul H. Foster.
Bernard F. Hale.
John F. Huddleston.
Carl D. Meinhardt.

CLASS 8

Knox Alexander.
Vinton Chapin.
Prescott Childs.
Lewis Clark.
William M. Gwynn.

PATENT OFFICE

Frank Petrus Edinburg to be examiner in chief.
Fred Merriam Hopkins to be Assistant Commissioner of Pat-
ents.

Paul Preston Pierce to be examiner in chief.
Elonzo Tell Morgan to be examiner in chief.

COLLECTORS OF CUSTOMS

Jeannette A. Hyde, district No. 32, Honolulu, Hawaii.
Robert B. Morris, district No. 22, Galveston, Tex.

POSTMASTERS

ALABAMA

Knox McEwen, Rockford.
Leonard F. Underwood, Shawmut.

ARKANSAS

Nannie L. Connevey, Bauxite.

ARIZONA

Ezbon E. Cooper, Chandler.

CONNECTICUT

Francis W. Chaffee, jr., Eagleville.
Edward F. Schmidt, Westbrook.

GEORGIA

Edwin R. Orr, Dublin.

INDIANA

Ella S. Shesler, Burnettsville.
Rexford F. Hinkle, Hymers.
Lee Roy Calaway, La Fontaine.
Hugh A. Fenters, Macy.
Earl R. Shinn, Mentone.

IOWA

Homer G. Games, Calamus.
Raymond W. Ellis, Norwalk.
William W. Sturdivant, Wesley.

KANSAS

Walter Holman, Sharon.

MAINE

Henry W. Bowen, Chebeague Island.
Lillian L. Guptill, Newcastle.
George O. Carr, Norridgewock.
Carroll H. Clark, Ogunquit.
Alfonzo F. Flint, West Buxton.

MASSACHUSETTS

Harold E. Cairns, Bernardston.
Albert W. Haley, Rowley.
Frances C. Hill, Templeton.

MICHIGAN

Milo E. Blanchard, Hersey.
Eugene E. Hubbard, Hudsonville.
Minnie E. Allen, Leslie.
Otto L. Wickersham, Onaway.
John W. Barton, Otsego.

MISSOURI

Arthur Rice, Alton.
Ferd D. Lahmeyer, Bland.
Charles B. Genz, Louisiana.
George W. Davies, Osceola.
W. Arthur Smith, Purdin.
Philip G. Wild, Spickard.

NEBRASKA

Herbert M. Hanson, Clay Center.
Andrew E. Stanley, Loomis.

NEW HAMPSHIRE

Harriet A. Reynolds, Kingston.

NEW YORK

Albert C. Stanton, Atlanta.
Harry L. Carhart, Coeymans.
DeWitt C. Talmage, East Hampton.
Clarence F. Dilcher, Elba.
John A. Rapelye, Flushing.
Clarence M. Herrington, Johnsonville.
Emma P. Taylor, Mexico.
William V. Horne, Mohegan Lake.
LeRoy Powell, Mount Vernon.
Dana J. Duggan, Niagara University.
Henry C. Windeknecht, Rensselaer.

NORTH DAKOTA

Ole T. Nelson, Stanley.

OHIO

Bolivar C. Reber, Loveland.
Solomon J. Goldsmith, Painesville.

OKLAHOMA

William C. Yates, Comanche.
Ben F. Ridge, Duncan.

SOUTH CAROLINA

Paul F. W. Waller, Myers.

TENNESSEE

John B. Elliott, Athens.
John S. Wisecarver, Mohawk.

TEXAS

Ferman Wardell, Avery.
Annie B. Causey, Doucette.
William W. Sloan, Falfurrias.
Thomas L. Byran, Matador.
Walter E. Shannon, North Zulch.
John W. Waide, Paint Rock.
Mamie Milan, Prairie View.
Billie W. Sorey, Refugio.
Claud C. Morris, Rosebud.
Lee W. Harris, Seymour.
Ada A. Ladner, Yorktown.

VIRGINIA

Roland L. Somers, Bloxom.
Silverius C. Hall, Hallwood.
William P. Nye, jr., Radford.
George N. Kirk, St. Charles.
Herbert T. Thomas, Williamsburg.

WASHINGTON

Sylvester G. Buell, Arlington.

WEST VIRGINIA

Shirley H. Mitchell, Elizabeth.
Charles J. Parsons, Sabraton.
Archie J. Frazier, Triadelphia.

WYOMING

Ralph R. Long, Gillette.

HOUSE OF REPRESENTATIVES

FRIDAY, May 9, 1930

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, Thou hast dealt gently with us. With grateful affection may we walk with Thee to-day. As we have experienced the common bounty of Thy providence, may we acknowledge Thee as our sovereign Lord. Grant that we may have a more perfect sense of being Thy children; may we love Thee because Thou didst first love us. It was first Thy outreaching arms that kept us at Thy feet. Do Thou remember all parts of our land. Abide with our President, our Speaker, and all Members and officers of this House. O may our laws be just and their execution impartial. As with Thee there is no night, let the darkness of this world seem to Thy children as the shadow of Thy wings. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Crockett, its Chief Clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

- H. R. 645. An act for the relief of Lyman Van Winkle;
 H. R. 1794. An act to authorize the payment of an indemnity to the owners of the British steamship *Kyleakin* for damages sustained as a result of a collision between that vessel and the U. S. S. *William O'Brien*;
 H. R. 1954. An act for the relief of A. O. Gibbens;
 H. R. 2902. An act to authorize the sale of the Government property acquired for a post-office site in Binghamton, N. Y.;
 H. R. 3246. An act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio;
 H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;
 H. R. 7069. An act for the relief of the heirs of Viktor Pettersson;
 H. R. 7832. An act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails, and for other purposes;
 H. R. 8578. An act to sell the present post-office site and building at Dover, Del.;
 H. R. 8918. An act authorizing conveyance to the city of Trenton, N. J., of title to a portion of the site of the present Federal building in that city;
 H. R. 9324. An act to dedicate for street purposes a portion of the old post-office site at Wichita, Kans.;
 H. R. 9325. An act to authorize the United States Veterans' Bureau to pave the road running north and south immediately east of and adjacent to Hospital No. 90, at Muskogee, Okla., and to authorize the use of \$4,950 of funds appropriated for hospital purposes, and for other purposes;
 H. R. 9407. An act to amend the act of Congress approved May 29, 1928, authorizing the Secretary of the Treasury to accept title to certain real estate, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians;
 H. R. 9437. An act to authorize a necessary increase in the White House police force;
 H. R. 9758. An act to authorize the Commissioners of the District of Columbia to close certain portions of streets and alleys for public-school purposes; and
 H. R. 9845. An act to authorize the transfer of Government-owned land at Dodge City, Kans., for public-building purposes.
- The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:
- H. R. 1234. An act to authorize the Postmaster General to impose demurrage charges on undelivered collect-on-delivery parcels;
 H. R. 7405. An act to provide for a 5-year construction and maintenance program for the United States Bureau of Fisheries;
 H. R. 7412. An act to provide for the diversification of employment of Federal prisoners, for their training and schooling in trades and occupations, and for other purposes;
 H. R. 7955. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1931, and for other purposes;
 H. R. 8296. An act to amend the act of May 25, 1926, entitled "An act to adjust water-right charges, to grant certain other relief on the Federal irrigation projects, and for other purposes";
 H. R. 9895. An act to establish the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes;
 H. R. 11588. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and
 H. J. Res. 270. Joint resolution authorizing an appropriation to defray the expenses of the participation of the Government in the Sixth Pan American Child Congress, to be held at Lima, Peru, July, 1930.
- The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:
- S. 317. An act to authorize the Secretary of the Interior to grant certain oil and gas prospecting permits and leases;
 S. 319. An act granting an increase of pension to Irene Rucker Sheridan;
 S. 497. An act to provide for the erection and operation of public bathhouses at Hot Springs, N. Mex.;
 S. 543. An act to increase the pay of mail carriers in the village delivery service;

- S. 557. An act to authorize the disposition of certain public lands in the State of Nevada;
 S. 612. An act for the relief of Charles Parshall, Fort Peck Indian allottee, of the Fort Peck Reservation, Mont.;
 S. 1183. An act to authorize the conveyance of certain land in the Hot Springs National Park, Ark., to the F. F. Connelly Paving Co.;
 S. 1299. An act for the relief of C. M. Williamson, C. E. Liljenquist, Lottie Redman, and H. N. Smith;
 S. 1533. An act to authorize the Secretary of the Interior to extend the time for payment of charges due on Indian irrigation projects, and for other purposes;
 S. 2524. An act for the relief of J. A. Lemire;
 S. 3088. An act for the relief of R. B. Miller;
 S. 3171. An act for the relief of Edward C. Compton;
 S. 3178. An act to authorize the collection of additional postage on insufficiently or improperly addressed mail to which directory service is accorded;
 S. 3258. An act to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes;
 S. 3386. An act giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, N. Mex., on February 12, 1929;
 S. 3599. An act to provide for the classification of extraordinary expenditures contributing to the deficiency of postal revenues;
 S. 3646. An act granting an increase of pension to Mary Willoughby Osterhaus;
 S. 3970. An act authorizing the Smithsonian Institution to extend the Natural History Building and authorizing an appropriation therefor, and for other purposes;
 S. 4119. An act to extend the provisions of section 2455 of the Revised Statutes of the United States (U. S. C., title 43, sec. 1171), as amended, to coal lands in Alabama;
 S. 4169. An act to add certain lands to the Zion National Park in the State of Utah, and for other purposes;
 S. 4170. An act to provide for the addition of certain lands to the Bryce Canyon National Park, Utah, and for other purposes;
 S. 4196. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River in Craighead County, Ark.;
 S. 4211. An act to amend the act entitled "An act to provide for the elimination of the Michigan Avenue grade crossing in the District of Columbia, and for other purposes," approved March 3, 1927;
 S. 4221. An act for the disposal of combustible refuse from places outside of the city of Washington;
 S. 4222. An act to authorize the Commissioners of the District of Columbia to sell by private or public sale a tract of land acquired for public purposes, and for other purposes;
 S. 4223. An act to amend the act entitled "An act to provide for the elimination of grade crossings of steam railroads in the District of Columbia, and for other purposes," approved March 3, 1927;
 S. 4224. An act to provide for the operation and maintenance of bathing pools under the jurisdiction of the Director of Public Buildings and Parks of the National Capital;
 S. 4226. An act to authorize the Commissioners of the District of Columbia to sell at public or private sale certain real property owned by the District of Columbia, and for other purposes; and
 S. 4243. An act to provide for the closing of certain streets and alleys in the Reno section of the District of Columbia.
- The message also announced that the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate No. 98 to the bill (H. R. 6564) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes."
- The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4138) entitled "An act to amend the act of March 2, 1929, entitled 'An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries.'"
- The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 549) entitled "An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes."

HIGH-SCHOOL BUILDING AT BROWNING, MONT.

Mr. LEAVITT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 4098) to provide funds for cooperation with the school board at Browning, Mont., in the extension of the high-school building to be available to Indian children of the Blackfeet Indian Reservation.

The SPEAKER. The Chair understands that this is a Senate bill, a similar House bill being on the calendar.

Mr. LEAVITT. Yes; an identical House bill.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, the sum of \$40,000 for the purpose of cooperating with the public-school board of district No. 9, town of Browning and county of Glacier, Mont., for the extension and betterment of a public high-school building at Browning, Mont.: *Provided*, That the expenditure of any money so appropriated shall be subject to the express condition that the school maintained by the said school district in the said building shall be available to all Indian children of the Blackfeet Indian Reservation, Mont., on the same terms, except as to payment of tuition, as other children of said school district: *Provided further*, That such expenditures shall be subject to such further conditions as may be prescribed by the Secretary of the Interior.

The SPEAKER. Is there objection?

Mr. GARNER. Reserving the right to object, as I understand this is a Senate bill, a similar House bill being on the calendar?

Mr. LEAVITT. An identical House bill is on the calendar.

Mr. GARNER. What is the emergency?

Mr. LEAVITT. It is an emergency in view of the fact that it is necessary to pass the bill in order to get the appropriation in the deficiency bill, so that the building can be constructed this summer.

Mr. GARNER. What is the obligation on the part of the Government to participate in this?

Mr. LEAVITT. Because more than half of the pupils are Indian children.

Mr. GARNER. Does this come out of the Indian fund?

Mr. LEAVITT. No; out of the Treasury.

Mr. GARNER. What is the obligation on the part of the Government to take care of these children?

Mr. LEAVITT. The original school building was constructed in the same way, by cooperation between the Government and the school district.

Mr. GARNER. What committee reported the bill?

Mr. LEAVITT. The Indian Committee.

Mr. GARNER. Was it a unanimous report?

Mr. LEAVITT. Yes.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider by Mr. LEAVITT was laid on the table.

THE CARLSBAD CAVERNS NATIONAL PARK

Mr. COLTON. Mr. Speaker, I ask unanimous consent to take the bill (H. R. 9895) to establish the Carlsbad Caverns National Park in the State of New Mexico, and for other purposes, from the Speaker's table, with a Senate amendment, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendment.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 2, line 19, after "Interior," insert "to include any or all of the following-described lands, to wit: Sections 1, 12, and 13, township 24 south, range 22 east; sections 1 to 18, inclusive, 20 to 28, inclusive, and 33 to 36, inclusive, township 24 south, range 23 east; the entire township 24 south, range 24 east; sections 6, 7, 18, and 19, and 27 to 34, inclusive, township 24 south, range 25 east; sections 24, 25, 35, and 36, township 25 south, range 22 east; the entire township 25 south, range 23 east; north half of township 25 south, range 24 east; sections 5, 6, 7, 8, 17, and 18, township 25 south, range 25 east; sections 1, 2, 11, 12, 13, and 14, and 19 to 36, inclusive, township 26 south, range 22 east; west half of township and sections 22 to 26, inclusive, township 26 south, range 23 east; all with respect to the New Mexico principal meridian."

Mr. COLTON. Mr. Speaker, let me say that I have conferred with Judge EVANS, the ranking minority member of the committee, and the Senate amendment is agreeable to him.

Mr. LA GUARDIA. Reserving the right to object, does the Senate amendment broaden the provisions of the bill as it passed the House?

Mr. COLTON. No; the amendment specifies the boundaries of the land which may be taken in. It does not broaden the bill at all.

Mr. SABATH. Reserving the right to object, how much land does this include, and is it now owned by the Government?

Mr. COLTON. It is owned by the Government and is now a national monument. This simply changes the status and makes it a national park.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

PENSIONS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 12205) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and so forth, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, and ask unanimous consent also that the bill be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of the bill H. R. 12205, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Minnesota further asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill.

The bill is a substitute for the following House bills referred to said committee:

H. R. 430. Charles H. Anderson.	H. R. 5472. Glenn Lynch.
H. R. 517. Joseph C. Neihemer.	H. R. 5553. Dorcas L. Jenkins.
H. R. 611. Margaret Dolson.	H. R. 5587. Sarah Ann Combs.
H. R. 637. Walker Cooper.	H. R. 5595. Dennis W. Marshall.
H. R. 677. George W. Vineyard.	H. R. 5604. Theodore R. Beard.
H. R. 765. Gertrude Delaney.	H. R. 5766. Anita White.
H. R. 813. Dora Probst.	H. R. 5783. James J. O'Hearn.
H. R. 850. Marie Piatt Wilson.	H. R. 5784. Frances S. Everhart.
H. R. 943. James P. Roche.	H. R. 5786. John W. Witherow.
H. R. 1095. William E. Emerson.	H. R. 5812. Rose Edwards.
H. R. 1128. George Gambill.	H. R. 5816. Conrad E. Nelson.
H. R. 1342. Samuel L. Gibson.	H. R. 5846. Marian L. Navarre.
H. R. 1344. Chalmer Rayburn Hiatt.	H. R. 5841. Bridget Mary King.
H. R. 1351. Asa S. Abbott.	H. R. 5858. Allison D. McKinney.
H. R. 1436. Lillian Mae Yurasko.	H. R. 5866. Sarah Seiber.
H. R. 1437. John W. H. Deal.	H. R. 5929. R. G. Kimbell.
H. R. 1505. Luella H. Schreiner.	H. R. 5930. Mary C. Chapman.
H. R. 1535. Otho W. Thomas.	H. R. 5940. Anna Finneran.
H. R. 1545. Mary E. Schmidt.	H. R. 5942. Emma N. Mittendorf.
H. R. 1630. Red Owl.	H. R. 5977. Mary A. Blood.
H. R. 1857. Lester G. Cross.	H. R. 5986. Roy Elrod.
H. R. 1896. Benjamin F. Kabosky.	H. R. 6000. William Valentine.
H. R. 1982. Jesse A. Sparks.	H. R. 6158. Agnes Kimball.
H. R. 1989. Robert C. Brown.	H. R. 6202. James O'Neil.
H. R. 2044. Belle Brown.	H. R. 6250. Jesse P. Murphy.
H. R. 2132. Oscar Fields.	H. R. 6467. William M. Davis.
H. R. 2415. Louis Klein.	H. R. 6552. Blanche E. L. Niles.
H. R. 2488. Benjamin B. Redman.	H. R. 6629. Ettie Allen.
H. R. 2862. Frank Bryan.	H. R. 6682. James Carr.
H. R. 2864. Mabel Iller.	H. R. 6690. John M. Stephens.
H. R. 2924. Claudia V. Hester.	H. R. 6764. Ezilda Von Buelow.
H. R. 2947. Lottie Tavender.	H. R. 6766. Rosa Jordan.
H. R. 2960. Charlie Theodore McGraw.	H. R. 6816. Jesse W. Glass.
H. R. 3077. George W. Bowman.	H. R. 6820. Charles Jackson.
H. R. 3303. Michael Sheridan.	H. R. 6834. Dewey G. Saylor.
H. R. 3323. Kathrine Harris.	H. R. 6905. George M. Purdy.
H. R. 3457. Marie Thorson.	H. R. 6924. William Sully.
H. R. 3501. John H. Milby.	H. R. 6937. Constant W. Merrick.
H. R. 3524. Martha Crunsach.	H. R. 6971. Monroe C. Burdshaw.
H. R. 3613. Cecelia Roland.	H. R. 7009. Nicholas P. Broadway.
H. R. 3795. William J. Trevesick.	H. R. 7036. Ella Holt.
H. R. 3957. Abbie A. Oxley.	H. R. 7061. Lillas Cox.
H. R. 3976. Charles H. Rice.	H. R. 7073. Gertrude M. Kahler.
H. R. 3990. Joseph H. Carson.	H. R. 7077. Frank E. Abernathy.
H. R. 4087. Charles Brussow.	H. R. 7098. Sallie J. Dupree.
H. R. 4097. Frank E. Trimyer.	H. R. 7104. David Simmons.
H. R. 4098. Joseph B. Nee.	H. R. 7113. Eda Blankart Funston.
H. R. 4172. Albert Allen.	H. R. 7162. Colonel L. Lankford.
H. R. 4183. Lula R. Prince.	H. R. 7197. James G. Whalin.
H. R. 4241. Ann Walters.	H. R. 7218. Michael D. Papero.
H. R. 4261. Samuel M. Billingsley.	H. R. 7221. Mae R. Braman.
H. R. 4323. Rilla Long.	H. R. 7301. Sallie Matthews.
H. R. 4423. Charles M. Slever, jr.	H. R. 7306. Mattie Wade.
H. R. 4482. Ernest Killian.	H. R. 7310. Mrs. Frederick J. Oppermann.
H. R. 4539. Laura B. Lindsey.	H. R. 7320. Dewitt C. Hackley.
H. R. 4569. Roland Robertson.	H. R. 7343. Decatur D. Kinser.
H. R. 4722. Nathaniel S. Conrad.	H. R. 7351. Susan Hogan Duncan.
H. R. 4797. George Fleischbauer.	H. R. 7366. George E. Bayliss.
H. R. 4809. Hugo Frie.	H. R. 7424. Edward Eason.
H. R. 4928. Alice E. Holliday.	H. R. 7428. George A. Wilcox.
H. R. 5070. Elizabeth Oatman.	H. R. 7442. David T. Kirby.
H. R. 5119. August Richards.	H. R. 7444. Ava G. Baughman.
H. R. 5140. Mattie E. Dockery.	H. R. 7453. Eva Fleming.
H. R. 5153. William E. Monroe.	H. R. 7466. James W. Headly.
H. R. 5157. Isaac T. Osler.	H. R. 7485. Adelbert Carpenter.
H. R. 5162. Mary C. Benthin.	H. R. 7490. Dallas F. Jarvis.
H. R. 5239. Arizona Flener.	H. R. 7522. Mary D. Love.
H. R. 5244. Elden Cooper.	H. R. 7542. Mary L. Sumney.
H. R. 5379. Thomas F. Coyne.	H. R. 7561. Isaac C. Livingston.
H. R. 5454. Charlotte M. Kelly.	H. R. 7646. Owidier Ipock.
H. R. 5461. Anna Dix.	

H. R. 7690. RAYON Cawood.
 H. R. 7723. Robert Goodman.
 H. R. 7746. William C. Rives.
 H. R. 7779. John A. Kelley.
 H. R. 7791. Swift Cary.
 H. R. 7818. William C. Hopkins.
 H. R. 7898. William A. Keating.
 H. R. 8048. William Rivers Patterson.
 H. R. 8082. Helen K. Whelan.
 H. R. 8085. Rheed Flener.
 H. R. 8106. Katherine T. Fink.
 H. R. 8109. William C. Andrews.
 H. R. 8179. Martin J. Kaplan.
 H. R. 8208. George S. Thompson.
 H. R. 8231. Joel Buell Shomaker.
 H. R. 8270. Abram J. Coalson.
 H. R. 8280. Catherine I. Goughan.
 H. R. 8312. Marshall E. Hord.
 H. R. 8355. Georgina Leitch.
 H. R. 8357. Henrik J. Rasmussen.
 H. R. 8383. James A. McCracken.
 H. R. 8412. Margurite Isabelle Nunn.
 H. R. 8505. Genevive M. Blazer.
 H. R. 8509. George M. Hart.
 H. R. 8542. Henry Y. Blackwell.
 H. R. 8551. Elizabeth Hahn.
 H. R. 8552. Mary Kiger.
 H. R. 8599. Curtis A. Peterson.
 H. R. 8725. John Anderson.
 H. R. 8735. Lavina Laughlin.
 H. R. 8752. Mary J. Thompson.
 H. R. 8797. Maude McManus.
 H. R. 8801. Teresa D. McClintic.
 H. R. 8824. Nathaniel Elliott.
 H. R. 8865. Peyton Paramore.
 H. R. 9008. Talton Combs.
 H. R. 9029. Charles Rapier.
 H. R. 9120. Saddle S. Jordan.
 H. R. 9172. Clara L. Hunt.
 H. R. 9222. Jane Harmony.
 H. R. 9249. John Albert Fritz.
 H. R. 9258. Thomas Keenan.
 H. R. 9284. Fannie S. Skinner.
 H. R. 9311. Oscar T. Ginn.
 H. R. 9388. M. F. Jamar.
 H. R. 9417. William S. Evans.
 H. R. 9419. Minerva Carrico.
 H. R. 9429. Joseph M. Yadon.
 H. R. 9530. Nellie A. Haack.
 H. R. 9533. Fred K. Johnson.
 H. R. 9543. Mary L. Beery.
 H. R. 9545. Joseph H. Kellerman.
 H. R. 9566. John T. Cooper.
 H. R. 9570. John W. Zibble.
 H. R. 9657. Julia A. Ray.
 H. R. 9683. Perry M. Martin.
 H. R. 9710. Harry Ray Bennett.
 H. R. 9879. Annie Burkard.
 H. R. 9968. Owen Williams.
 H. R. 9977. John R. Ferrell.
 H. R. 10012. Rachel Stoser.
 H. R. 10016. William A. Shirey.
 H. R. 10063. Anna T. MacLay.
 H. R. 10186. Robert L. Boyd.
 H. R. 10240. Ellen J. Lewis.
 H. R. 10261. Josephine O'Bryan.
 H. R. 10286. Eugene Gray.
 H. R. 10299. Otto A. Granholm.
 H. R. 10315. Charles Chesnut.
 H. R. 10363. Vivian L. Saunders.
 H. R. 10388. Horace E. Hobbs.
 H. R. 10435. Walter W. McGowen.
 H. R. 10438. John E. Quinn.
 H. R. 10439. Carl L. Quinn.
 H. R. 10446. Lula Smith.
 H. R. 10448. Mrs. John Hindemeier.
 H. R. 10487. Thomas Henry Shanley.
 H. R. 10604. Willie Herschel Meek.
 H. R. 10686. Margaret O'Brien.
 H. R. 10696. Eliza Carr.
 H. R. 10711. George Earle Barr.
 H. R. 10799. Mary L. Leverton.
 H. R. 10837. William Marks.
 H. R. 10874. Frank J. Long.
 H. R. 10892. George Kohler.
 H. R. 10922. Ralph Smith.
 H. R. 11035. Mary Heckle.
 H. R. 11126. Matthew J. McKelvey.
 H. R. 11221. Waldo E. Stucker.
 H. R. 11377. Harlen P. Shrader.
 H. R. 11424. Thomas A. Ellis.
 H. R. 11657. Annie J. Heller.
 H. R. 11842. Lammie Clement.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

THE CARLSBAD CAVERNS NATIONAL PARK

Mr. SIMMS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of the Carlsbad Caverns National Parks bill, just passed.

The SPEAKER. Is there objection?

There was no objection.

Mr. SIMMS. Mr. Speaker, the Simms bill (H. R. 9895) to establish the Carlsbad Caverns National Park in the southeastern part of New Mexico after passing the House of Representatives was referred to the Senate Committee on Public Lands and Surveys. There Senator CUTTING, of New Mexico, rendered valuable aid toward the passage of the bill by having inserted a necessary amendment limiting the amount of land authorized to be acquired, in the discretion of the Department of the Interior, to be added to the limits of the park whenever necessary. The bill came back to the House, the amendment was accepted, the bill was finally passed, went to the White House, was signed by President Hoover, and is now the law of the land. I requested the President to give me the pen with which the bill was signed, and I had much pleasure in sending it to the chamber of commerce at Carlsbad, to be kept as a souvenir of the occasion.

Mr. Speaker, the State of New Mexico and all its people are greatly indebted to the Congress of the United States for putting its hall mark of approval on this park which preserves for the American people one of the outstanding natural wonders of the world. I am unwilling to pass to a description of the park without paying my respectful tribute and presenting the compliments of the State of New Mexico to the gentleman from Michigan [Mr. CRAMTON], who has always maintained so active an interest in New Mexico affairs.

In this year's appropriation bill the Congress has appropriated nearly \$200,000 with which to build a passenger elevator, with a capacity of 100 people, to be used by visitors in leaving the caverns. It is not thought necessary to use the elevator for entry to the caverns, but rather for exit only, as otherwise a great part of the admirable impression of this scenic marvel would be lost. Excellent highways lead to the caverns; first-class efficiently operated hotels are plentiful at Carlsbad, Roswell, and other near-by cities, and the popularity of the caverns is so great, the number of visitors has so substantially increased

during the past few years, that it is confidently expected that several hundred thousands of visitors will come to the caverns in 1930.

Mr. Speaker, the Denver Post in its issue of the 6th of March, 1930, had the following to say about the Carlsbad Caverns National Park:

This marvelous scenic attraction, this superb bit of nature, is the eighth wonder of the world. It is the greatest, most startling, and most beautiful natural cave upon this planet. It is located in our neighboring State of New Mexico. It belongs to our Rocky Mountain region, and we all in this region have a right to be proud of it and take an interest in it.

Realizing the tremendous beauty of our newest national park, I had the honor within the past few weeks to extend an invitation on behalf of the people of New Mexico to the President of the United States to visit the Carlsbad Caverns National Park on his forthcoming western trip. The Governor of New Mexico, both our Senators, and the civic organizations of many communities in our State have joined in urging the President to accept our invitation.

The Director of the National Park Service, in making comment on the creation of the new park, said—

That for spacious chambers, for variety and beauty of multitudinous natural decorations, and for general scenic quality it is the king of its kind.

Mr. Speaker, time is for mortals but not for the processes of nature. Doubtless through millions of years the infinite, patient, and powerful action of nature through erosion by subterranean waters has been used to produce this present sublime group of caverns. For the speaker it is a pleasant, happy thought to think that he has been able to be the humble instrument for the creation of the Carlsbad Caverns National Park, which is now established to perpetually furnish interest to the scientist and tourist alike.

EMBARGO ON SILVER IMPORTATIONS

Mr. ARENTZ. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. ARENTZ. Mr. Speaker, ladies and gentlemen of the House, the other day we disposed of the so-called silver tariff items in the tariff bill placing a tariff of 30 cents an ounce on silver. The House refused to accept this schedule. I think something should be done to help the silver-mining situation in America, and I hope this can be brought about by a bill which I placed in the basket this morning, which places an embargo upon importations of silver into the United States. Those in the New England States who voted against the tariff on silver can very easily agree to the proposition which I have presented to them to-day. We can use our own silver of which we produce a surplus. By flooding this country with foreign silver it logically follows that the price of domestic silver will be depressed. We wish to further prevent this.

Mr. UNDERHILL. Mr. Speaker, will the gentleman yield?

Mr. ARENTZ. I want to proceed with the reading of the bill.

Mr. UNDERHILL. Why not include coal from Russia?

Mr. ARENTZ. The House can include whatever it wants to include. I am trying to place an embargo on silver. I am in favor of excluding both coal and other raw material replacing American goods, thus replacing American workmen. The bill I introduced reads as follows:

TO PLACE AN EMBARGO ON SILVER

That from and after the passage of this act silver from any foreign country shall not be entitled to entry at any of the ports of the United States, and the importation thereof into the United States is hereby prohibited: *Provided, however,* That silver-bearing ores, mattes, base bullion silver dross, reclaimed silver, scrap silver, and all alloys or combinations of silver imported into the United States for the purpose of processing, refining, or minting for export to a foreign country and not for use, sale, or disposition within the United States or any of its possessions, may be imported for such purpose upon the execution of a bond given in double the amount of the estimated value upon such silver contents so imported, conditioned that such silver contents will not be used, sold, or otherwise disposed of in the United States.

SEC. 2. The Secretary of the Treasury is hereby authorized and empowered, and it shall be his duty, to make the necessary orders and regulations to carry this law into effect or to suspend the same as herein provided and to send copies thereof to the proper officers in the United States and to such officers and agents in foreign countries as he shall judge necessary.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on May 7, 1930, the President approved and signed a joint resolution of the House of the following title:

H. J. Res. 305. Joint resolution providing for the participation by the United States in the International Conference on Load Lines to be held in London, England, in 1930.

PERMISSION TO SIT DURING SESSIONS OF HOUSE

Mr. HALL of Illinois. Mr. Speaker, by direction of the Committee on the Judiciary I ask unanimous consent that that committee may sit during the sessions of the House next Thursday and Friday.

The SPEAKER. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12236) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes. Pending that, I ask unanimous consent that the time for debate be controlled by and divided equally between the gentleman from Kansas [Mr. AYRES] and myself. In view of the rather uncertain demand for time, I suggest that we do not fix a time limit for general debate until later.

The SPEAKER. The gentleman from Idaho moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill. Pending that, he asks unanimous consent that the time for general debate be controlled by and divided equally between the gentleman from Kansas [Mr. AYRES] and himself. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Idaho that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill, with Mr. HOCH in the chair.

The Clerk read the title of the bill.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Chairman and gentlemen, I was very much interested in reading this morning a speech delivered yesterday by the gentleman from Georgia [Mr. LANKFORD], which I suppose was very largely for home consumption and for the purpose of informing the people of his district of the many good things he had done for them and why he should be renominated and reelected to Congress. I have no objection to any of the statements made as far as his district is concerned, but I do want to call attention of the House to some of the reasons given and the good things that have been done and what he has done himself as an individual Member to help along those good things. From the first part of his speech I quote the following:

Members here can only do their best and be true, and when a good piece of legislation is enacted or a bad bill defeated we can only say "we helped."

Also the following:

A few days ago some of my friends said I was to be congratulated for securing for my district in the river and harbor bill passed last month more authorizations than was ever written in a previous similar bill.

I want the country to know that that river and harbor bill was presided over by a Republican chairman of the Committee on Rivers and Harbors, the gentleman from New York [Mr. DEMPSEY], and that the whole committee is controlled by the Republicans, because they have more members on it than the Democrats. I have no fault to find with his statement about rivers and harbors, for he probably voted for the bill, as everyone else did. I am very glad that our committee in the House is giving to each section of the country the things that that

section is entitled to. That is the kind of legislation we should promote here—generous and just legislation for every part of the country, regardless of whether it is North, South, East, or West.

I quote again from the gentleman's speech:

Mr. Chairman, again my friends said I was to be congratulated upon securing for the first time, in the present tariff bill, a duty upon turpentine, long-staple cotton, tar and pitch of wood, as well as an increase on peanuts and various other farm products, and I said, "No, I only helped wherever I found a chance."

I want the gentleman to show me any place where he has even helped when he found the chance.

I will tell the people of Georgia and the people of the country just how much he helped to give them this protection on the articles produced in Georgia, and higher protection on farm products.

When we had the conference report, agreed on by the conferees of both the Senate and the House, the report that contained the very protection on the articles he is congratulating himself and his people on having, he voted against that report; and, if I have not made any mistake, every other member of the Georgia delegation did the same.

That is how he and his delegation helped their people to get the protection they wanted.

And I want to say to the gentleman and to his colleagues from Georgia that if the Members of the New York delegation and the Pennsylvania delegation had taken the same position that he took, and had not voted for the conference report, the item he is bragging about as being of benefit to his constituents would not have been passed or agreed to, as far as this House is concerned.

Now, I have no argument or dispute with any man in this House in regard to protection, whether he is for it or against it; but I do not want any man to stand on the floor of the House and say what he has done for his people in respect to protection for products raised in his State and then vote against the bill that protects those products, largely because it contains some protection for some other part of the country. I have no use, politically, for any man who tries to get the highest possible protection on the products of his own section, and prays for enough Republican votes to pass the bill, while he votes against it. I not only call that man a poor protectionist, but a very untrue spokesman.

I am not a spot protectionist. I am for protection for any article produced in this country that really needs protection, and the gentleman from Georgia and others should either be that kind of protectionist or else not brag on the floor of the House regarding the protection for home industry that he had helped put in the bill, when he voted against the report that assured that protection. I hope the gentleman from Georgia will give my remarks the same publicity he gives his own. [Applause.]

Mr. FRENCH. Mr. Chairman, tremendous interest centers around the naval program of the United States on account of the London Naval Conference and the prospective results that may flow therefrom.

From the standpoint of the National Budget we are concerned with factors that will enter into the program between now and 1936, the beginnings of which are involved, in minor degree, in the bill that we are now reporting, but which, for the most part, will affect the appropriation bills for the succeeding fiscal years following 1931 up to 1936.

Your committee in reporting the bill for 1931 has been compelled to bear in mind that the London treaty has not been adopted by the United States or by any other power, and that so far as nations are concerned the program is still a tentative program. Thus we have not been permitted to take into consideration all the money factors that have bearing upon certain items that may be avoided in event of ratification, and which can be met by wise administration.

In view, however, of the possibility that the proposed naval programs of nations will be radically modified as a result of the London Conference, it will be my purpose in my opening statement to indicate the broad purposes of the pending bill, the manner in which the provisions of the bill will fit into possible naval programs, and the effect upon naval programs of our country and of the world should the London tentative agreement be ratified by the several powers.

The preliminary estimates from the bureau chiefs for the fiscal year 1931, which were prepared about nine months ago, aggregated \$471,103,274. These estimates were reduced by the Secretary of the Navy and submitted to the Budget in the terms of \$425,084,297, and in addition contract authorization for airplane purchases was asked in the amount of \$10,000,000.

Through discussions with the Bureau of the Budget this total figure was reduced until the estimates that have come to the Congress for the next fiscal year, original and supplemental, are in the figures \$380,598,226. Further supplemental estimates probably will be presented.

Your committee has conducted extensive hearings and has been able to omit \$1,710,590 carried in the Budget and reports the bill to the House in the figures \$379,036,086, inclusive of authorization in the amount of \$2,000,000 that may be drawn from the Navy supply account fund. In addition to this, contract authorization for aircraft is carried in the amount of \$10,000,000. The grand total of direct and indirect appropriations for the present fiscal year is \$365,685,027, in addition to which contract authorization exists on account of aircraft in the amount of \$10,000,000, the same as we propose for 1931.

I have no doubt that before the fiscal year will have been concluded, several additional million dollars will need to be added, but I am speaking of the appropriations and authorizations that have been made up to the present.

Upon that basis, appropriations for 1931 are \$13,351,059 over and above the appropriations for 1930.

Of such sum, \$6,950,000 is on account of the capital-ship major overhaul program. It happens that the appropriation for initiating the work on the two vessels now undergoing modernization was made well along in the fiscal year 1929, although work was not commenced until the first of the fiscal year 1930. Consequently, in drawing a comparison between next year and this we might eliminate very appropriately from consideration the increase occasioned by the item and circumstances mentioned. So doing, the increase is actually \$6,401,059. Notwithstanding the fact that the Budget and bill are premised upon a fleet and personnel of practically current year proportions, the committee finds it necessary, despite the reductions it is recommending aggregating the sum of \$1,710,590, to propose increases in a number of directions netting the sum indicated. Personnel, even though there be no marked fluctuations, will be found annually to cost more under present laws applying to pay. Other major factors are (1) aviation, although the increase proposed under such head is but \$603,211, (2) a larger outlay for public works, including repair and maintenance, and (3) new ship construction, all of which I shall refer to later.

With respect to the fleet, now, as a year ago, we find that there is not a proper balance between the ships it is planned to have in commission and funds estimated for their operation, repair, and improvement. There should be closer if not complete harmony touching these factors, and the committee feels that the department should make such adjustments as available funds may require to bring them into closer accord.

Unless upon administrative discretion following ratification of the London treaty, reductions were to be made in officer and enlisted personnel of both the Navy and the Marine Corps and in the craft that would be maintained in operation, the Naval Establishment in 1931 in these regards will remain approximately the same as the Naval Establishment for 1930. No radical changes will be made in the activities that normally will go forward under operation and maintenance, engineering, construction and repair, the Naval Reserve, yards and docks, public works, aeronautics, or the activities pertaining to the Marine Corps.

I believe the House would prefer, in this general statement, that I defer discussion of particular features pertaining to the varied activities of the Navy until they may be reached under the 5-minute rule.

Probably I should make a brief statement touching modernization and new construction work upon naval craft.

MODERNIZATION OF CAPITAL SHIPS

For completing the modernization of the battleships *Pennsylvania* and *Arizona*, the bill carries \$7,400,000, which is the sum remaining to be appropriated under the authorization for such work.

The capital ship modernization program was begun in August, 1925. Including the *Pennsylvania* and *Arizona*, which it is expected will be ready to join the fleet in March, 1931, there will have been modernized in the space of about five and one-half years 10 of our 18 capital ships, at a total cost of about \$48,110,000.

INCREASE OF THE NAVY

For the present fiscal year there was appropriated toward the construction of new vessels a total of \$48,350,000, which includes \$2,000,000 of naval supply account funds. In addition, \$200,000 was made available for additional machinery and equipment at ordnance establishments, and \$570,000 was appropriated to initiate a program of navy yard development for

ship construction calling for a total outlay for yard improvements of \$1,795,000. For the several objects, therefore, the total sum made available was \$49,120,000.

Of the sum for ship construction, \$36,750,000 was on account of vessels authorized prior to February 13, 1929, and \$11,600,000 on account of the aircraft carrier and 10 of the 15 cruisers authorized in the act approved on such date, divided between such latter vessels as follows:

First block of five light cruisers.....	\$10,300,000
Second block of five light cruisers.....	200,000
Aircraft carrier.....	1,100,000

For 1931 the Budget proposes to make available a total of \$49,800,000 for shipbuilding, of which \$14,550,000 is intended to be applied to vessels authorized prior to the new program act and \$35,250,000 to vessels comprising the new program.

At this point I desire to submit to the House a table that will show the status of all new construction work, as the estimates were submitted to the committee by the Bureau of the Budget, and which, of course, were submitted prior to the London Naval Conference.

	Appropriations proposed, 1931 bill			Remaining to be appropriated after July 1, 1931
	Construction and machinery	Ordnance	Total	
Submarine V-4.....	\$200,000	-----	\$200,000	-----
Submarines V-5 and V-6.....	2,700,000	-----	2,700,000	-----
Submarines V-7, V-8, and V-9.....	4,600,000	-----	4,600,000	\$6,900,000
Light cruisers 28, 29, and 31.....	7,050,000	-----	7,050,000	800,000
New cruiser program:				
First block of 5.....	20,800,000	\$10,100,000	30,900,000	41,100,000
Second block of 5.....	-----	200,000	200,000	82,100,000
Third block of 5.....	200,000	400,000	600,000	82,100,000
Aircraft carrier.....	3,450,000	300,000	3,750,000	14,150,000
Total.....	39,000,000	10,800,000	49,800,000	227,150,000

An examination of the table shows that provision is made for the third block of five 8-inch gun cruisers that were authorized a year and a half ago. The total cost of these five cruisers was planned to be \$82,500,000.

Should the London treaty be adopted the entire amount will be subtracted from the totals.

It will be noted, however, that while \$82,500,000 is involved in the construction of these five cruisers, since they are in the third block of the 15-cruiser program, only a small amount was recommended to be appropriated for the fiscal year 1931, namely, \$400,000. Your committee has subtracted this amount from the bill.

Members of the House will recall also that the proposed London treaty provides that three of the second block of 8-inch gun cruisers be laid down—one in 1933, one in 1934, and one in 1935. This being the case, money that had been recommended by the Bureau of the Budget for commencement of the work upon these three craft will not be expended thereon. It happens, however, that the amount recommended on five of the second block of cruisers was an amount taken in conjunction with the sum previously appropriated which would be adequate for commencement only—an amount, all told, of \$400,000. Since two of the cruisers in the second group of five are to be commenced during the coming fiscal year, your committee did not feel justified in disturbing this figure, as in any event it will suffice for a bare commencement of the work.

To sum up, for 1931 for new construction work, your committee recommends a total of \$49,400,000.

RESULTS OF THE LONDON NAVAL CONFERENCE

The results of the London Naval Conference can be summarized as, first, definite limitation in all categories of ships of the three powers, including limitation in aircraft carrier tonnage of units of less than 10,000 tons displacement; second, extension of replacement dates of capital ships; third, retirement of three capital ships for the United States and five for Great Britain; and, finally, definite provision that omission upon the part of a nation to build within a time provided within which construction could be had shall not be regarded as forfeiting the amount of tonnage postponed by such nation.

Just what money savings may accrue to the several powers or to the United States as a result of the conference in event of ratification of the treaty involves the fundamental question of whether or not the highest interests of our country and the world may be served by pursuing a moderate program within the limits laid down or by building up to the limit of authorization in all categories.

At this point I desire to place in the RECORD a table that will show the tonnage of the three great powers—the United States, Great Britain, and Japan—at the time the conference convened and as it will be authorized under the proposed agreement.

Tonnage built, building, appropriated for, or fixed by Washington conference as of January 15, 1930, contrasted with tonnage under London conference agreement

[Data for January 15, 1930, from data sheet compiled by Office of Naval Intelligence, except authorization for aircraft carriers, which is taken from Washington treaty; data for London conference is from statement of President Hoover of April 11, 1930, and from apparently authentic press dispatches]

	United States		Great Britain		Japan	
	Tonnage, Jan. 15, 1930	London conference agreement	Tonnage, Jan. 15, 1930	London conference agreement	Tonnage, Jan. 15, 1930	London conference agreement
Battleships.....	523,400	¹ 460,000	606,450	¹ 460,000	292,000	¹ 264,900
Aircraft carriers.....	² 135,000	135,000	² 135,000	135,000	⁴ 81,000	81,000
Cruisers.....	250,500	³ 180,000	406,911	³ 150,000	206,815	⁷ 108,450
8-inch guns.....		³ 143,500		³ 189,000		100,450
6-inch guns.....		150,000		150,000		105,500
Destroyers.....	¹² 260,304	150,000	196,761	150,000	129,375	105,500
Submarines.....	87,232	52,700	69,201	52,700	78,497	52,700
	¹ 1,286,436	1,121,200	¹⁰ 1,414,323	1,136,700	¹¹ 788,087	713,000

¹ About.

² 90,036 tons, built and building.

³ 115,350 tons, built and building.

⁴ 68,870 tons, built and building.

⁵ 18 cruisers.

⁶ 15 cruisers.

⁷ 12 cruisers.

⁸ These figures for United States and Great Britain are interchangeable.

⁹ Exclusive of 47,598 tons of craft in service but over effective age. Exclusive of 89,915 tons of craft listed for disposal.

¹⁰ Exclusive of 1,695 tons of craft in service but over effective age.

¹¹ Exclusive of 69,160 tons of craft in service but over effective age.

¹² Includes 61 destroyers (63,991 tons) listed for disposal.

CERTAIN DIRECT SAVINGS

From an examination of the table it will appear that as a result of the London conference certain tonnage increases are made possible and certain reductions in tonnage required. Let us consider both factors.

Direct money savings may be made as a result of the action of the conference, assuming treaty ratification. In the first place, as to battleships, the elimination of three battleships from the fleet of the United States is, in itself, no negligible item, and should result in a saving, in maintenance and operation costs alone, for each ship amounting to more than \$2,000,000 for each year they otherwise would have remained in service.

Again, the measure provides for the extension of all battleship replacement dates until 1936. Within that time, were the United States to replace ships that she could replace under the Washington treaty, she would replace five completely; and five more would be in process of replacement, all of which, upon the basis of \$37,500,000 per ship would make a total of \$281,250,000, which would be needed between now and 1936. No one can state to-day that that is an absolute saving. It is a postponement. But, by 1936, it may well be that as a result of the conference which will meet the year before, or in 1935, battleships will be entirely eliminated or their numbers reduced to such an extent that the entire amount of \$281,250,000 now postponed may be saved to the Treasury of the United States, and with corresponding saving to other countries. Other direct savings will be made through the scrapping of certain destroyer and submarine tonnage.

WHAT WOULD WE NEED TO DO IN NEW CONSTRUCTION WORK AND MAINTENANCE OF ESTABLISHMENT UNDER THE TREATY?

The question that is asked over and over is, What will be the effect of the London treaty, assuming there may be ratification, upon the pending programs and the maintenance of naval establishments?

At once the proponents of ever-increasing navies who have been antagonistic to any limitation of armaments, who have urged in season and out of season that the United States should determine the size of its own Naval Establishment, regardless of other powers, are now urging that under the terms of the London treaty it would be the duty of the United States and of every other nation party to the treaty to carry forward construction programs up to the entire limit of authorization in the several categories. Some very earnest people take this point of view, but, on the other hand, it is the position of all those who consciously or unconsciously have personal interests to serve.

In view of the tremendous interest in this phase of the question, I shall address myself to it specifically.

The outstanding features of the London naval agreement is the limit that has been fixed upon tonnage of the several types. Friends of limitation regret that it was not possible for lower limits to have been attained. The fact, however, that limits were attained that on the whole fix possible tonnage at a figure below the present tonnage of nations is cause for gratitude. The fixation of construction within categories will remove competition in the vicious sense that has prevailed during past years.

But what is meant by limitation? Does it mean building up to the limit in all categories? Does it mean that there is imposed upon nations an obligation to maintain at all times and regardless of circumstances what some are pleased to call "treaty navies"?

PRACTICE UNDER WASHINGTON TREATY

Immediately following the Washington conference, the question of the obligation of the United States under the terms of the treaty resulting therefrom became a subject of earnest debate. It will be recalled that that treaty fixed a limitation upon capital ship and aircraft carrier tonnage. It will be recalled that, as to the former, replacement dates were prescribed touching various battleships prior to which replacement might not occur, these dates varying with the different countries and having regard for the age of ships to be replaced.

The proponents of ever-increasing naval establishments urged at once that unless nations built up to the authorizations and at the time of the replacement dates they would lose the right to build. From that date until now they have been urging that the limitations recited in the treaty of Washington imposed obligations of construction as well as obligations not to construct prior to fixed dates.

It has been my constant thought and my earnest contention that every nation party to the agreement assumed an obligation not to build beyond the limitations imposed as to tonnage or in advance of the time within which certain craft might be laid down, but that no obligation, direct or by implication, was imposed upon any nation to build other than according to a course that would have regard for its own national needs.

Consider for a moment what has been the attitude of nations upon this subject.

As for battleships, only two nations have reached the time when replacement could be had in tonnage other than the replacement that was in process or immediately to be undertaken upon the conclusion of the Washington treaty. Great Britain was given the privilege of completing certain craft and withdrawing five of her older battleships and cruisers that she had at the time of the Washington treaty. This she did. The United States was given the privilege of completing two battleships which were under construction and withdrawing four of the older ones that she possessed in 1922 and which were to continue as part of her fleet until the new ones had been added. A like adjustment was made for Japan.

The dates for the large replacement programs, however, for all nations were ahead.

The United States, Great Britain, and Japan, in the absence of the London conference, were not to reach their replacement dates until 1931. In that year Great Britain was to have been privileged to lay down 2 battleships, the United States 2, and Japan 1.

There were two other nations parties to the treaty—France and Italy. Replacement dates for each of these nations occurred for two battleships in 1927 and 1929, respectively—the battleships that could have been replaced in those years for each nation having an aggregate tonnage of 70,000 tons. Yet neither France nor Italy interpreted the treaty to mean that an obligation was imposed to build and neither nation laid down the craft permitted.

But it is urged by those who insist upon building up to treaty limitations that other nations that are parties to the treaty are interested, and not alone the nation that does not desire to build upon a given time.

I then submit in answer that Great Britain, the United States, or Japan did not protest to either France or Italy that those nations were violating the Washington treaty through failure to build in 1927 and in 1929.

If they are correct who contend that France and Italy were obligated to build, it follows that the other parties to the treaty—the United States, Great Britain, and Japan—were guilty themselves of negligence in failure to remind France and Italy of their solemn covenants to replace their battleships when they saw that these nations were neglecting so to do. No such protests were made. I submit there was no such obligation.

At the London conference, however, both France and Italy assumed that they had not lost their right to lay down the craft that could have been laid down in 1927 and 1929, and their position was frankly and freely conceded by the conference.

Now, turn to aircraft carriers.

The five powers who were parties to the Washington agreement were allocated tonnage as follows:

	Tons
United States.....	135,000
Great Britain.....	135,000
Japan.....	81,000
France and Italy, each.....	60,000

But what have nations done? Eight years have passed since the Washington conference was concluded, and yet since that time the United States has completed but two carriers, the *Lexington* and the *Saratoga*, with a tonnage of 66,000 tons and has barely begun a third of 13,800 tons. Great Britain is far short of her allocated tonnage, and much of the tonnage that she now has is so obsolete that she could be justified in replacing it. This is likewise true of Japan. France has little more than one-third of her aircraft tonnage and Italy has none at all.

THE LONDON TREATY LANGUAGE

In deference to the uncertainty that has existed or that has been urged to exist touching the Washington treaty in this regard, the London naval agreement specifically recites, "The right of replacement is not lost by delay in laying down replacement tonnage." (Annex 1, sec. 1.) Obviously, the language of the proposed London treaty makes clear that a limitation does not carry with it a mandate to build under penalty of forfeiture of right to build.

What, then, shall we say as to policy?

Cardinal in the reason for justification of navies is national and world-wide security. Limitations themselves for tonnage go far toward solving the problem of security. Assurance through these limitations is given that rival nations will not build craft of a certain type or of all types in excess of defined tonnage. It thus becomes the privilege, the opportunity, if you please, of nations to take this factor into account in formulating their naval programs.

If this be true, it follows that nations may have regard for elements that in the past under competitive building had to be ignored:

First. Financial burdens and national budgets;

Second. The problem of an even load in navy yards.

Third. The effect new building or replacement will have upon craft of the several types in comparison with the craft that other nations will have when the limitation conference of 1935 or other earlier conference may be held.

Fourth. The actual need from the standpoint of defense modified as will be this need by moderation of other nations.

FINANCIAL BURDENS AND NATIONAL BUDGETS

From the standpoint of burdens that are reflected through taxation that rest upon the peoples of the great world powers, it must be remembered that last year the organized military powers of the world, including reserves of the several powers aggregated nearly 30,000,000 men. This burden calls for stupendous money costs. It must be remembered that during that same period the naval budgets of the United States, Great Britain, Japan, France, and Italy were close on to \$1,000,000,000. It must be remembered that the naval burden alone for the United States was more than \$374,000,000. This year it is greater. It can not be disputed that 72 per cent of the annual expenditures of the United States is on account of past wars or the maintenance of Military and Naval Establishments. More than that, these burdens are mounting.

I shall pass over expenses incurred in Military Establishments other than the Navy, but as to the Navy I desire to direct the attention of the House to the tremendous expanse of naval burdens upon the world's great powers as they have gone forward during the last 25 years.

Naval appropriations of leading world powers

	Fiscal year		Increase (+) or decrease (-)
	1904	1929	
United States.....	\$109,196,123	\$374,008,054	+265,411,931
Great Britain.....	173,648,058	278,478,000	+104,929,942
Japan.....	17,533,279	131,222,722	+113,689,443
France.....	59,740,222	99,568,000	+39,827,778
Italy.....	23,822,400	63,622,982	+40,100,582
Germany.....	50,544,000	47,764,019	-2,779,981
Russia.....	60,018,895	42,329,289	-17,689,606

Mr. Chairman, with due regard for the obligation that legislative bodies owe to their constituencies, with due regard for

the sacrifice that must be made by the millions of people in all countries of not only comforts of life but in some instances bare necessities, regard must be had for ways that will mean reduction of burdens of government.

It is possible to give a fair outline of what the proposed London treaty will cost the United States in money, provided we insist upon building up to the limitations within the treaty and construe the limitations as an obligation to build.

Turning to battleships, it would mean that the three that are to be decommissioned would be kept in full commission to the last day possible under the terms of the treaty—one year in the case of two ships and 18 months in the case of the other.

It would mean an urge to permit reckless expenditure under the guise of modernization upon any or all of the remaining battleships.

It would mean an obligation to construct 69,000 tons of aircraft carriers.

It would mean an obligation not only to construct all the 8-inch gun cruisers that the treaty permits but in addition 73,000 tons of the 6-inch gun cruisers over and above what we have to-day.

In the matter of destroyers it would be possible to replace 150,000 tons and between 20,000 and 25,000 tons of submarines.

More than that, it would be possible, and, of course, those who are urging the ever-expanding program would insist that it is necessary, to provide one-fourth of our 6-inch gun cruisers with landing decks for aircraft. By implication we would need to add possibly 2,000 airplanes to our aircraft program in order to supply the airplanes that would be necessary for aircraft carriers and the aviation complements possessed by other types.

Rough estimates of what this building program would cost run from \$750,000,000 to \$1,000,000,000 between now and 1936. That period of time is little more than six years. It would mean an annual naval construction program of \$125,000,000 to \$150,000,000 for the United States for fighting types of craft.

From the standpoint of national finances, I submit, there can be no justification for any such expenditure of money, an expenditure that would treble the appropriations that we have made for new construction work on an average for each of the last 10 years.

Do gentlemen hail the London conference as a success, who see only that it means multiplying in this enormous fashion the cost of naval armaments? It would be a perversion of the magnificent work of President Hoover and Prime Minister MacDonald, and the able delegates to the London conference, to transform a limitations agreement into a mandate for expansion programs.

But, Mr. Chairman, that is not all that would be involved. Fighting craft mean auxiliary craft. Fighting craft mean expansion in navy yards. Fighting craft mean personnel, both officer and enlisted personnel. The expansion of the Navy of the United States to the limits that would be possible were that to be the interpretation of the London treaty would mean the increase of annual burden of naval appropriations from an average of about \$350,000,000 annually, as it has been during the last eight years, to an annual cost of between \$500,000,000 and \$600,000,000.

Members of Congress can not flatter themselves that the only additional expense is in the construction of ships. "It is not the original cost; it is the upkeep." If we are to have ships, the ships will need to be operated, and the figures that I have given you, in my judgment, are conservative rather than overestimates.

Scientists tell us that the old fable of the ostrich burying his head in the sand at the approach of danger is a libel upon that bird of the desert. Whether or not it is true, Members of Congress and citizens of our country must not bury their heads in the sand and blind themselves to the expense that is ahead with construction of ships, the vast sums that will be necessary for operation and maintenance of such craft.

What I have said with respect to this program for the United States, applies with like force from the standpoint of Great Britain and the standpoint of Japan.

THE PROBLEM OF AN EVEN LOAD IN THE NAVY YARDS

One of the most serious problems that confronts your committee in the preparation of the Navy bill, is the problem of an even load in the navy yards of our country. This problem is of tremendous importance from several points of view.

First, it is important from the standpoint of navy-yard employees.

We have in the navy yards of the United States approximately 40,000 workmen. These workmen are of a high type. They are skilled; they are efficient; they will take their places by the side of the finest workmen in industrial yards of our country

or of any other land. Most of them are men who take seriously the problems of life. Most of them are men of families. They are interested in filling the positions that are given them and in earning the wage by which they may support the wife, the children, the home.

They are entitled to definite employment to the extent that it is possible for our country to anticipate an even load of work.

This problem is one that in our rapidly advancing industrial age is attracting the attention, not only of men and women who, from humanitarian standpoint alone are seeking to make better the conditions of workmen and their families throughout our land, but from the standpoint of employers of labor and their responsibility for the success of great industrial concerns.

Within the last few months, intensive studies have been made in industrial lines looking to maintenance of the even load of employment. Great railroad companies are working out such programs and are employing industrial engineers to assist them in the tasks to the end that the men in the great railroad centers may be employed the year around.

Automobile factories, rubber tire factories, manufacturing establishments of a variety of character are concentrating their efforts upon this important subject. Our Government should do no less as it undertakes the roll of employer of labor.

Limitations within the treaty ought to be accepted by the Congress and the country as giving additional authority to those charged with responsibility to approach this subject with the finest regard to the humanities that are involved. We ought not to be driven on to rapid expansion in navy yards, rapid construction work in order to keep up to a certain figure that was intended as a limitation.

Second. It is important from the standpoint of normal building programs that we be not driven on to rapid expansion of our navy yards.

When employees in navy yards see an approaching end of employment, they recognize that unless new work be provided plants must be shut down and activities cease. At once campaigns are undertaken that enlist the sympathy of local chambers of commerce, local service clubs of all kinds, humanitarian groups, and they appeal to Congress to do something that will prevent the employees of navy yards from being thrown out of work. It becomes not a question of national need; it becomes not a question of naval defense; it becomes a question, pure and simple, of the building of something, no matter what, that men who have worked may continue to hold their jobs.

Of course, this means a terrific campaign for the expansion of naval programs.

It necessarily follows that either from the standpoint of men who are employed, or from the standpoint of actual naval needs, the limitations feature of the London conference ought not to be construed as a mandate.

NEW SHIPS TO SCRAP

The effect of new building upon ability of the United States to be most effective in the next naval conference is a matter of grave importance. Consider the question from the standpoint of the power of the United States to assist in determining a course in the conference that may be held in five or six years from now if we go ahead and by 1935 build up to the limits laid down in the London conference. According to rough estimates that I believe are fairly accurate, it would mean expending during the next five or six years from three-quarters of a billion to one billion dollars. This money would be invested in new craft. Added to that would be no less than another quarter of a billion dollars on account of craft that have been completed within the last three or four years—cruisers, submarines, aircraft carriers. What position would the United States be in as her delegates would sit down to the conference table if we were forced to admit that we had this enormous tonnage of new craft of the several categories? Public opinion might hesitate to place approval upon destroying craft that had only recently been completed. Here alone would be an element that would need to be considered and which was a potent factor in shaping some of the policies in both the Washington and London conferences. On the other hand, if we could approach the conference with considerable tonnage to our credit in the several categories that remained unbuild and other nations could approach the conference in like fashion, it would be reasonable for nations to say, "Let us draw a pencil through the blue prints. Let us scrap old craft that will need to be scrapped within a year or a few years, and let us reduce the general level within the several categories." From the standpoint of strategy, looking to further international reduction of armaments, this is the right course. Those who do not want to reduce all tonnage to lower levels at the next naval conference will demand that we build up to the topmost figures.

NEW CRAFT SHOULD NOT BE OBSOLETE

But there is another consideration. Suppose at the time the next conference were to convene we were to find ourselves with complete tonnage in aircraft carriers of certain types or in 6-inch gun cruisers and in submarines. It might well be that in five years from now it would be very apparent that the type of aircraft carrier that now seems admirable and that would be built if we were to complete our program up to the tonnage limit by 1935 would be obsolete.

It might be that cruisers, although new, would be obsolete by reason of new and more recent developments, as, for instance, improvements that may be suggested by the two ships that are being built by Germany. It may well be that the submarine will become so vulnerable by reason of devices for their location that no nation will want to continue their use from that point of view alone. The delegates from the United States to the conference would then be in position of scrapping new ships in order to replace them by more efficient ones or else seeing our Nation possessed of obsolescent craft, though but a few years old, while other nations, who may have chosen to be more conservative in the matter of building under the limitation provisions or who may have chosen to defer replacement, would be in position to build at that time new craft of the latest and approved tonnage.

Pursuing this same thought, may I now direct the attention of the House to a somewhat similar situation that might be embarrassing if a rush program of naval construction in all categories were to be adopted by reason of the provision of the treaty were a nation to find itself compelled to build new tonnage to meet tonnage upon the part of some nontreaty power that might threaten security.

I do not believe that such a contingency will arise, but were it to develop, a program of moderation in building would permit the United States to take needed advantage of such contingency under building that would be permitted within the so-called "escalator" provision of the treaty, that would be more nearly in harmony with our national needs, and which we might not take if we felt that we had excessive tonnage in other types.

NEED FROM THE STANDPOINT OF DEFENSE

The limitation provision of the treaty should give the United States and every other nation the privilege of laying down construction programs in line with the actual defense needs of the respective nations. Indeed, this has been the final interpretation, in spite of propagandists, upon the less exacting language of the Washington treaty. France and Italy omitted to lay down two battleships each. Why? Because national needs did not require them to assume this enormous expense. The United States and all the other powers have been most conservative in their aircraft-carrier construction programs, notwithstanding authorization of the Washington treaty, because national defense did not require the enormous outlay of money upon ships of this type. Oh, some one will say the reason delay was possible was because nations were waiting to take advantage of new improvements. This does not answer the question. The fact remains that had there been national need all of the nations would have proceeded upon the basis of the known facts and would have built aircraft carriers of the types that they were permitted to build. More than that, if nations may feel that new construction programs are not required, as would be required through a mandate, but that the limitation features give discretion to nations as to time and tonnage within those limitations, nations will have regard for what other nations are doing in construction programs in the several categories. If nation A sees that nation B is following a conservative policy, nation A may wish to follow that policy. On the other hand, if nation A sees nation B constructing ships up to the limit of the possibilities under the treaty, nation A will do likewise.

In 1817 there was adopted by the United States and Great Britain a treaty known as the Rush-Bagot treaty, which defines the rights of the respective powers to maintain craft upon the Great Lakes and Lake Champlain. It provides that upon Lake Champlain each nation may retain 1 craft of 200 tons; upon Lake Ontario each nation 1 craft of 200 tons; and upon the other Great Lakes, which at that time were connected from the standpoint of navigational facilities, 2 craft of 200 tons each. That treaty is in force to-day. But we do not have such craft upon Lake Champlain and Lake Ontario and the Great Lakes as contemplated by the treaty; neither does Great Britain.

The fact of the business is, common sense was applied in the interpretation of the treaty, and actual living conditions under the treaty have made it possible for a relationship of the highest good will and accord to exist between the United States and Canada—a relationship that does not need armaments and naval craft to justify or to make more secure. Indeed, here is a re-

lationship that would be rendered less secure by craft upon the Lakes that separate these two mighty powers and by forts and garrisons and officers and men throughout the other 2,000 miles of boundary line between the Atlantic and the Pacific.

The illustration is significant of what can occur under the London treaty. Under that treaty we are looking forward to another conference in 1935. It will aid further naval reduction if, when 1935 may be reached, nations may not find themselves with navies of new craft that they would need to destroy in order to obtain reductions in tonnage in the several categories. More than that, a conference would be more ready to approach the question with five or six years of international cooperation looking to the lessening of the burdens of armaments and the removal of causes for war than if, upon the approach of the conference, all of the parties thereto will be armed cap-a-pie to the extent that they would be permitted to do if they took advantage of every grant of authorization under the London treaty.

Finally, from the standpoint of good business, from the standpoint of strategy, as we shall sit down to the next conference table we ought to regard the limitations within the London treaty as a privilege rather than a mandate; a privilege that will permit the United States to be conservative in later programs of new construction work, to iron out an even load of construction in her navy yards, to take advantage of the latest that may be devised by our people or the people of any other lands in types or in features pertaining to efficiency, and that will permit us to have a most effective voice in encouraging still further reductions of naval armaments when it may be demonstrated more definitely than it was at the London conference that through international discussion and understanding of the problems of nations differences may be settled and naval and military burdens reduced.

I shall be glad to yield at this time to my colleague from Illinois [Mr. BRITTEN].

Mr. BRITTEN. There are some things I would like to have clarified. The gentleman, in concluding his remarks, opposed the intent of the London treaty, as I understood it.

Mr. FRENCH. The gentleman must have misunderstood me. I am for the London treaty.

Mr. BRITTEN. The gentleman inferred, in connection with the treaty, that we should not build up to the treaty requirements. If he said that, is he talking for himself or the administration?

Mr. FRENCH. In anything I may say here, I shall express my personal views.

Mr. BRITTEN. The gentleman is chairman of the committee and is in touch with the various departments, particularly the department having to administer this particular bill, and is supposed to express the sentiments of the department.

Mr. FRENCH. Would the gentleman say that that is what he had in mind when he introduced his bill? [Applause.]

Mr. BRITTEN. I thank the gentleman for that thought. Yes; all the figures in my bill were received from the Secretary of the Navy, every figure and every dollar in my bill authorizing appropriations to meet the requirements of the London treaty.

Mr. FRENCH. Does the gentleman mean to say that it is the thought of the administration that a bill along the lines he has introduced, carrying all the obligations involved in the money total, carrying the program of construction up to the limit—is that the policy the administration has approved? Does he want the House to understand that?

Mr. BRITTEN. Yes, I do; and if that is not correct, then the administration would never have agreed to the signing of the London treaty. Where does the gentleman think I got that mass of figures? They came from the Navy Department.

Mr. FRENCH. There are two questions—one question whether or not the administration wants to build up to the limit of the treaty, and another question whether the treaty may be ratified with the thought of sound discretion in our country to build according to the national needs.

Mr. BRITTEN. That is what the gentleman is contending for, and I agree with the gentleman that Congress ought to build up to the national needs as they appear from time to time. That is correct.

Mr. FRENCH. And the gentleman says the national needs demand the gross tonnage that we can build at any time in all categories.

Mr. BRITTEN. No; the gentleman does not say that and he does not mean it. The gentleman means this—that we are carrying on the high seas to-day about seventeen thousand million dollars' worth of commerce per annum. We think that commerce is entitled to the same protection that the British commerce is entitled to all over the world. It does not make any

difference whether our manufactures are carried in Dutch, Italian, British, or American bottoms—they are entitled to the same measure of protection. The difference between the gentleman and myself is that the gentleman has suggested to the House that while we have made an agreement in London for tonnage and certain categories, it is not necessary to live up to it.

Mr. FRENCH. What I tried to impress upon the House is the problem of determining whether or not we should build up to treaty limitations regardless of national needs, or if national defense permit, pursue a conservative course for the next five years and have regard for the economies involved.

Mr. BRITTEN. That is true, and does not the gentleman believe that the President of the United States had that very condition in mind when he agreed to this treaty in London?

Mr. FRENCH. I should hope he had in mind the thought that I have outlined, rather than the thought that seems the implication from the gentleman's statement, and the gentleman's bill, which I understand he is about to introduce.

Mr. BRITTEN. I have already introduced the bill. It is based on figures received from the department, and the types of ships of the various categories, as specified by a chart that was very, very carefully prepared by the Navy Department, which indicates to my mind that the present administration has every intention in the world of living up to the requirements of that treaty, and I hope that it does. The gentleman and I will not argue the treaty any further, but let me ask the gentleman another question to clarify his remarks.

The gentleman stated in his remarks that a certain appropriation had been recommended for the second group of five cruisers, but of course we will not immediately require all 10 cruisers, but only 7 for the time being, and then the last 3 will be appropriated for in 1933, 1934, and 1935. In his remarks the gentleman said that the amounts which should have gone to all 5 were transferred to the remaining 2. I am wondering if that is correct.

The CHAIRMAN. The gentleman from Idaho has used one hour.

Mr. FRENCH. Mr. Chairman, I shall proceed for 10 minutes more. I want to be understood as saying that for the second bloc \$200,000 of new money was carried in the estimates that came from the Budget for all five.

Mr. BRITTEN. The gentleman said \$400,000 awhile ago.

Mr. FRENCH. That would include \$200,000 carried over from this year's money, a total of \$400,000.

Mr. BRITTEN. For the second bloc?

Mr. FRENCH. For the second bloc. When the treaty indicated that three of the cruisers would be postponed until 1933, 1934, or 1935, it was the thought of the committee that since the amount of \$400,000 would be adequate only to begin construction, whether of two or of five, we let the amount remain in the bill and apply it upon the commencement of two.

Mr. BRITTEN. So that the entire \$400,000 then will go toward the commencement of two of the seven?

Mr. FRENCH. Yes.

Mr. BRITTEN. Then the gentleman suggested that section 21, the escalator section, might not give us a free hand if we built up more or less to our limits under the treaty. The gentleman did not mean that, did he?

Mr. FRENCH. Oh, yes; I meant exactly that. Under that provision of the treaty it would be all right to build up in the ships that would be constructed by the other nations.

Mr. BRITTEN. But in addition to everything else carried in the treaty?

Mr. FRENCH. Yes, in addition to everything else; but if we had been so unwise as to build up to the topmost figure of every category, it might be that we could not approach the question of building still further just to keep up with the Joneses, because we had already exhausted so much money in building up in other types where we have the privilege of building, but which would not be modified by the escalator provision at all.

Does the gentleman realize that when we built the destroyers, for instance, following and during the World War, we did not do that to please ourselves, but did it because we were part of the forces that were at war upon one side of a question against the Central Powers? Other nations were equipped in such a way that they said, "You are the nation that ought now to build destroyers." We built them and we built them in twice the tonnage that we needed, and I want to avoid any such necessity as that if we should find ourselves—which I think we shall not—confronted with the question the gentleman raises.

Mr. BRITTEN. The escalator section, 21, provides very distinctly that any building made necessary by that section will be in excess of building provided for generally in the treaty.

Mr. FRENCH. That is true.

Mr. BRITTEN. It also provides that if England should determine she needs 30,000 to 40,000 tons of subchasers to chase French submarines, in that event we are permitted to build up to 30,000 or 40,000 tons of ships, but they must be subchasers.

Mr. FRENCH. That is right.

Mr. BRITTEN. How does the gentleman figure our hands are tied in building through the general categories, when everything connected with this section 21 will be in excess of all other building anyway?

Mr. FRENCH. If the gentleman wants to assume that because we may have invested a billion dollars or more in new ships all at once, that we then are willing to invest still more hundreds of millions in other craft we do not need under the "escape section," of course, it would be possible for us to do it under the treaty; but what I say is that we would have a freer hand, from an economic standpoint, from the standpoint of the Treasury, if we do not find ourselves built up to the limit of all the categories.

Mr. BRITTEN. I get the point. The gentleman's point, as I see it, is this: That if we were not built up in the various categories, instead of taking advantage of this excess building authorized, we could go and build up in the categories where we already had a deficiency.

Mr. FRENCH. With the same amount of money we could do just that. We either could do that or we could build any type that would be built by the nation taking advantage of the escape clause. It is a question of finances.

Mr. BRITTEN. I understand that. The gentleman will agree with me that the London conference was brought about with a view to provide parity at least between Great Britain and the United States on the sea.

Mr. FRENCH. Two questions, of course, were dominant in the minds of the people representing our Government. One was the question of parity, to which the gentleman from Illinois refers. The other one was the fixing of limitations, the question of stabilizing the tonnage in such a way as to remove rivalry; and still another, which is part of the second, reduction of tonnage.

I make that statement having in mind the cardinal statement made by the President of the United States in his Armistice Day speech of last November, that reduction of tonnage could not be too low for us.

Mr. BRITTEN. That statement is satisfactory to me. We have been working together here happily for a number of years. On the question of reduction, I am sorry the conference did not go deeper into the cruisers and other types. Now we are confronted with the question of a proper national defense, and the question of whether or not we are actually going to have parity with England. The gentleman's remarks were generally framed in a spirit of conservation and economy. I have that same spirit, too. But, on the other hand, I also have a spirit that desires equality on the high seas with any other nation. In other words, I do not believe the United States, with its financial power, its social power, and its political power, should be satisfied with a second-class navy.

Mr. FRENCH. Would the gentleman's position be modified if he saw Great Britain was following a moderate policy? Would the gentleman's position be modified if he would recognize that?

Mr. BRITTEN. Yes; we should modify it.

Mr. FRENCH. Then, does not the gentleman think Great Britain will react in like measure toward the United States, and does he not think that what is done in the Congress will be reflected in the British Parliament? If we follow moderation in building programs under the London treaty, I am satisfied Great Britain and Japan will do the same thing.

Mr. BRITTEN. I must recall what transpired at the Washington conference as a matter of history. The gentleman from Idaho himself was there, and I know I was down in the Daughters of the American Revolution Building when Balfour, representing King George, came over here and slapped himself on the chest and in that characteristic manner of his, and turning to Secretary Hughes, said, "The spirit of this 5-5 agreement, applying only to ships of the first line, will be carried down to the various categories."

Then he went back to England and what happened? They immediately started the construction of the greatest cruiser program the world had ever seen.

In connection with this London conference I may say also that it is not a question of spirit but a question of agreement. We can not lead Great Britain into disarmament, and we can not lead Japan into disarmament by ourselves taking the lead. That is a false policy. We must have a Navy second to none on earth, a Navy commensurate with our position in world affairs, if we would induce naval limitation. So long as we are inferior there will be no honest attempts at disarmament.

Mr. LANKFORD of Virginia. Will the gentleman yield?

Mr. FRENCH. I yield to the gentleman.

Mr. LANKFORD of Virginia. I am greatly indebted to the gentleman from Idaho for his full discussion and the opening up in such a wonderful way of this entire subject. The gentleman referred to the work load in the yards. Could the gentleman say whether his committee has at this time considered the advisability of appropriating money this year for modernizing the three remaining battleships so that they can take the place of those that are in the yards now, when they are completed next February?

Mr. FRENCH. I do not understand there is authorization for such a program. It is not a matter that has been before our committee at all.

Mr. BRIGGS. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. BRIGGS. Will the gentleman state succinctly to what extent the London naval treaty is reflected in the present appropriation bill, in dollars and cents; by what amount which otherwise would be carried in this bill, but for the London naval treaty?

Mr. FRENCH. I think the gentleman from Texas [Mr. Briggs] must have been out of the Chamber at the moment I spoke upon that subject. I said that as to new work, we are just on the threshold of the program on the second block of five cruisers and the third block of five cruisers. Therefore, a small amount of money was included in the 1931 bill for both blocks as the bill came from the Budget.

The \$400,000 included for the third block of five cruisers was eliminated from the bill by the committee. The share that would have gone to three of the five cruisers of the second block was diverted to two other cruisers of that block, since we will not need to appropriate for the three until some four years from now. With regard to other money that will be affected, if the treaty shall be ratified, that money can be subtracted by the administration when the administration will be in possession of such facts such as date when ratification may be made. We do not know to-day whether or not the treaty will be ratified. If ratified, then battleships may come out, and moneys may be saved in personnel, in fuel oil, in engineering, in construction and repair, and in a variety of ways. It is the same with regard to submarines and other craft.

Mr. BRIGGS. That is the information I wanted to elicit from the gentleman.

Mr. ARENTZ. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. ARENTZ. I think the gentleman has stated what various newspapers throughout the United States have stated as well, that one effect of the London treaty is that there has been a specific tonnage stated as to the several categories in the program; but there is a difference, and a most decided one, between the gentleman from Illinois and the gentleman from Idaho. The gentleman from Idaho believes that to build up to the limit would result in this, that in 1936—when we will have another conference in London—there will be nothing to offer in the way of saying, "Here, we do not want to scrap ships but we do want the limitation of armaments cut down to what it is now." The gentleman from Illinois believes we should build up to the limit so that in 1936, following out the policy of President Hoover, we can have a curtailment of construction but we will scrap ships in doing so.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

NAVAL APPROPRIATION BILL

Mr. AYRES. Mr. Chairman, I yield myself such time as I may desire to use. First, I want to congratulate the gentleman from Idaho, the chairman of the subcommittee, on the excellent statement he has made in explaining this bill. He always makes a good statement, but I believe this is the best one I have ever heard him make. [Applause.] In addition to that, I want to congratulate him on his defense of the treaty that came out of the London conference, which we hope and assume will be ratified by the Senate.

The people of this Nation should feel grateful to President Hoover and the delegates who represented our country in the London Naval Conference for what they have managed to accomplish. Our plenipotentiaries were Ambassador Charles G. Dawes, Secretary of the Navy Charles Francis Adams, Senator Joseph T. Robinson, Senator David A. Reed, Ambassador Hugh Gibson, and Ambassador Dwight W. Morrow. To each of these distinguished gentlemen, in my judgment, the Nation owes a debt of gratitude. [Applause.]

While the treaty may not be all that we had hoped for, it is the basis for a wonderful start in the right direction, particularly if it shall not be construed to impose an obligation to

build up to the limits fixed in the several categories, irrespective of our actual needs or what other nations may do.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. AYRES. Yes.

Mr. MOORE of Virginia. It seems to me the language of the treaty itself reinforces the argument made by the gentleman from Idaho and the argument the gentleman is making, that it is not to be implied that we are under any mandate or obligation to build up to the maximum of tonnage in any category that may be allowed by the treaty.

Mr. AYRES. That is correct.

Mr. MOORE of Virginia. I find in the treaty that it is twice stated that the right of replacement is not lost by delay. It is evidently contemplated by those who negotiated the treaty that any particular nation might fall far short of building up to the maximum.

Mr. AYRES. The gentleman is correct.

Moreover, it lays a foundation for greater achievements at the next conference. I might say millions of people of this Nation were hoping that the spirit expressed in President Hoover's Armistice Day address on the 11th of last November would prevail at the London conference, and that there would be an agreement reached by the Nations for an actual and immediate reduction of naval armament.

While it is true that under the provisions of the London treaty there will be but little reduction in the allowable gross tonnage in naval armaments, there will be the next best thing, and that is a definite limitation in naval construction in all categories, which, after all, is an achievement not accomplished by any other conference in the past. If the provisions of this treaty are carried out in response to the dictates of our national needs, it should mean, instead of naval appropriations increasing each year by leaps and bounds, that there will be a halt in the upward trend and ultimately possibly some reduction. I think I voice the sentiment of this committee when I say that the committee as a whole believes in adequate preparedness for this Nation at all times and in every particular, but we have looked forward to the time when some action would be taken by the nations, burdened with large and expensive naval establishments, to stop competitive naval building programs.

I trust none of you will become unduly alarmed over what we hear of a billion-dollar building program, mostly replacement. In the first place, had there been no London conference, it would have been necessary for us in time not only to build replacements of all existing tonnage but to add new tonnage according to the programs of other governments. In replacement tonnage the treaty does save us the enormous expense that ultimately would confront us of replacing some 76,000 tons of destroyers and approximately 35,000 tons of submarines. As to additional 6-inch gun cruiser tonnage, all but 23,000 tons is offset by the five of the fifteen 10,000-ton cruisers which we are not to build under the terms of the treaty. Now as to the need to replace our existing destroyer tonnage, let me tell you that only recently we replaced 58 destroyers in commission with an equal number which had been in reserve.

As to these destroyers the Chief of the Bureau of Construction and Repair has told us that their expected life would be something like 10 or 12 years. So that to say that the treaty will be responsible for a billion dollar building program does not conform with the facts. The treaty actually permits a saving in replacement construction and occasions no additional expense beyond 23,000 tons of 6-inch gun cruisers and possibly some other light cruiser and large destroyer tonnage under certain optional provisions of the treaty, as to the cost of which it would be rather previous even to hazard a guess.

If nothing had been accomplished at the London conference, we would have expected the Budget for the Naval Establishment in the near future to have imposed demands annually ranging from \$500,000,000 to \$600,000,000; and when the replacement program is taken into consideration touching all types, I hesitate to say just what the annual draft might have been.

Mr. Chairman, this is not all by any means, but it should be sufficient to show where we are drifting; and if the conference succeeded in making a treaty that will limit future naval construction among the nations its work should be applauded as a great and wonderful achievement.

We did not feel that it would be appropriate to anticipate ratification of the treaty and make reductions on such an assumption. However, the naval appropriation measure now under consideration reflects a saving or reduction of \$400,000, traceable, perhaps, to the treaty, but in reality as being unnecessary at this time irrespective of the treaty. The amount relates to the construction of the third increment of five 10,000-ton cruisers, which we do not feel should be commenced during the coming fiscal year should the treaty not be ratified, because

of our desire to avoid an uneven work load in Government and private yards.

The removal of three capital ships from the active list, as provided by the treaty, should reflect an annual saving of at least \$4,000,000. I only wish it had been possible for the delegates to have reached an agreement to have retired all 18 of the capital ships. The postponement of their replacement, however, is a good omen and I confidently look to their complete elimination when another conference shall convene. With the advent of the airplane and the development of the submarine, a ship less vulnerable and possessing more speed and greater maneuverability, will be the capital ship of the future in my judgment.

Postponement of capital-ship replacement does, however, relieve us from the burden of carrying out the Washington treaty which provides that, beginning with the year 1931, the United States would be required or permitted to lay down 10 capital ships prior to 1937 at a total estimated expenditure up to 1937 of \$281,250,000.

I am in hopes that by the time we get ready for the next conference all of the countries will be won over to the idea of a further limitation of armament. I am confident the results of the London conference will contribute to the realization of this wish.

I repeat, the people of the United States should be profoundly grateful to President Hoover and the delegates who represented our country at the conference just adjourned. [Applause.]

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. AYRES. For a question.

Mr. O'CONNOR of Louisiana. I wanted to ask the gentleman if he really believed the battleship is to continue to be an important factor in the naval program of the nations of the earth, in view of the development of the submarine and the airplane?

Mr. AYRES. I will say to the gentleman from Louisiana that I do not, and I have so expressed myself in the remarks I just made. If I did not, I intended to do so.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. AYRES. I yield.

Mr. WAINWRIGHT. I would like to ask the gentleman, so as to clarify the atmosphere somewhat for those who have not given as much attention to this subject as members of the committee have, what this matter of parity means?

Is the parity contained in the treaty a mere privilege or do we derive from it an implication that it is to be the test of the national defense to which we intend to come up to and build up to?

Mr. AYRES. I think this Nation should build up to where it is necessary for its own needs in the way of a navy regardless of whether it may be on a parity with Great Britain, France, or any other country.

Mr. WAINWRIGHT. Then the gentleman thinks the matter of parity is really immaterial?

Mr. AYRES. I would not go that far.

Mr. WAINWRIGHT. It raises no serious obligation and no serious implication on the part of this country to come up to the standard of parity set up in the treaty?

Mr. AYRES. My position is that there is no serious obligation on the part of this country to be on a parity with other nations. I am only expressing my own individual opinion.

Mr. WAINWRIGHT. I was asking the gentleman his conception of the term "parity" as used in the treaty and not so much for his own personal view.

Mr. AYRES. I do not find that the term "parity" is used anywhere in the treaty.

Mr. WAINWRIGHT. It is used very much in the discussion of the treaty.

Mr. AYRES. That may be, but the gentleman asked my conception of the provision in the treaty with reference to the matter of parity.

Mr. SABATH. Will the gentleman yield for a question?

Mr. AYRES. I yield to the gentleman.

Mr. SABATH. For weeks I have read in various newspapers reports of the activities of the London conference and in each and every instance I read of the wonderful saving that this conference would bring about to the Nation. I am informed this bill carries the tremendous appropriation of \$377,000,000.

Mr. AYRES. Yes.

Mr. SABATH. About \$14,000,000 more than we appropriated last year. Can the gentleman explain where the saving is coming in or how the administration has saved these tremendous sums that are given out by the press from time to time as having been saved for the taxpayers of the Nation?

Mr. AYRES. I may answer the question by asking the gentleman one. Would the gentleman expect a treaty that has not

been ratified, a treaty that has been agreed upon within the last week or so, to be reflected in an appropriation bill that was reported out within the last few days? What we are contemplating is that it will be reflected in the appropriation bills of the future, and undoubtedly it will be. The gentleman from Idaho explained to the gentleman from Texas [Mr. BRIGGS] that the only real saving, if it may be called a saving, in the present bill is \$400,000, and the gentleman explained the reason for that, as did I in the early part of my remarks. We could not expect, I will say to the gentleman from Illinois, that a saving would be reflected in this bill at this particular time by reason of the treaty.

Mr. SABATH. Answering the gentleman, I may say I was led to believe that the reporting of this bill was being delayed for the purpose of ascertaining whether the London treaty would be of such a nature as to provide a certain saving in the future and at the same time to see whether or not the enormous appropriation that had been asked could be reduced. Therefore I was under the impression when the bill was reported a few days ago that the committee had taken into consideration this fact and was hopeful that in reporting the bill it would not be necessary to increase the appropriation by \$14,000,000 more than was appropriated last year.

Mr. AYRES. I will say to the gentleman that the committee did not have the idea in holding back the reporting out of this measure that the London conference would necessarily reflect immediate savings. There were other considerations, I might say, that influenced the course of the committee.

Mr. Chairman, I yield to the gentleman from Louisiana two minutes.

Mr. O'CONNOR of Louisiana. Mr. Chairman and gentlemen, I rise largely for the purpose of getting information through the elaboration of a statement that has been expressed here to-day.

Of course, the common thought on this subject throughout the country is that the London conference was called for the purpose of reducing naval expenditures. I do not know that any different interpretation of the conference has been arrived at by those in a position to make such an interpretation. Evidently there is a good deal of conflict of opinion upon it. The gentleman from Illinois [Mr. BRITTEN], who has given the matter a great deal of thought and study, is evidently under the impression it will make for a program upon our part that will approximate \$1,000,000,000 within six years. This is at variance with the thought there would be a reduction as a result of this conference.

However, the thought that is in my mind is that for years there have been two schools of thought with reference to the necessity of the battleship in a naval program. I believe the thought that it is no longer in the picture, or that it no longer would serve a country in any great naval conflict, has been daily expressed by the Hearst newspapers. I mention this not doubtingly, because in all probability these writers have investigated the subject and have given it considerable thought, and while they express their views rather strongly still this school of thought, I suppose, has its chief proponents in the Hearst newspapers. In view of their large circulation and the vigorous manner of their advancing a proposition and the intellectuality of the editorial staff, these newspapers are a force in American affairs that have to be considered and reckoned with.

I am wondering whether the gentlemen present here who have had to do with appropriations and with authorizations are in a position to express a viewpoint as to whether or not the battleship is slowly but inevitably fading away from the picture and that in the future cruisers, submarines, and airplanes will form the most formidable and the most important part of our naval program.

If the submarines, for instance, are to form an important part in the naval program, it has occurred to me that recently I had the honor of attending a meeting of the Committee on Naval Affairs, of which I was formerly a member, and at this meeting the chairman of the committee, the gentleman from Illinois [Mr. BRITTEN], absolutely demonstrated to the satisfaction of every one present that if there be an art or craftsmanship in submarine construction that art is absolutely lacking in this country.

Mr. BRITTEN. Will the gentleman yield?

Mr. O'CONNOR of Louisiana. Yes.

Mr. BRITTEN. The gentleman is not quite correct in his statement. We are building submarines now. We are building some very good submarines, and the remark that the gentleman has in mind is evidently based on a question that the chairman of the committee asked a rear admiral who was before the committee, as to whether or not we were building as good sub-

marines as were built in any country of the world, and the admiral replied that he did not think we were.

Mr. O'CONNOR of Louisiana. That is practically stating what I said a few minutes ago, that if it is an art or craft we are not as well up in the art or workmanship as other nations. I believe that was substantially the answer to the gentleman from Illinois.

But the thought uppermost in my mind is that the program apparently does not contemplate any new construction from the battleship standpoint.

Mr. BRITTEN. No; it does not, prior to 1936.

Mr. O'CONNOR of Louisiana. I was under the impression that the sea conflict at Jutland had demonstrated that the battleship is no longer a formidable part of naval armament of any country, and that the great battleships that are prisons for the men who are upon them and operate them are inevitably going out of the picture and will give place to the submarines and to probably the most formidable of all instrumentalities of war—the airplanes.

Mr. BRITTEN. The Battle of Jutland was fought by some 45 first-line ships. Not one of those ships was struck by a torpedo from a submarine, and no aircraft of any kind took part in that engagement. Germany, France, and England had literally hundreds of airplanes, bombers, and pursuit planes, and they had submarines. But no airplanes or Zeppelins took part in the battle, and no torpedo was fired from a submarine that touched a single battleship.

The best naval experts of Germany, England, France, Japan, and the United States state that up to date the backbone of the Navy is the battleship.

The gentleman refers to the Hearst papers; and, probably Mr. Brisbane, who says that a hundred airplanes flying over a battleship could destroy it; but the first question to be asked is: How are the airplanes going to reach the battleship on the other side of the ocean? They have to come across on an airplane carrier, and airplane carriers have to be protected; and the best expert advice that we have is that the battleship is still the backbone of the Navy.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. AYRES. I yield the gentleman five minutes more.

Mr. O'CONNOR of Louisiana. I rose for the purpose, largely as the result of a very amiable but spirited conversation with my good friend from Hawaii, Delegate Houstox, this morning in respect to the value of battleships. He is a strong proponent of their value, as is the gentleman from Illinois. I was under the impression that at the Battle of Jutland the battleships had to be surrounded and protected. The battle did not decide anything at all, and during the time they were getting ready they had to be surrounded and protected.

Mr. BRITTEN. The gentleman suggests that the Battle of Jutland did not decide anything; it decided once and for all that Great Britain held the supremacy of the seas.

Mr. O'CONNOR of Louisiana. But Germany did not contest that.

Mr. BRITTEN. When the German Navy came out to challenge the British fleet it was demonstrated that Great Britain ruled the seas.

Mr. O'CONNOR of Louisiana. I do not think the supremacy of the seas was questioned before, and therefore the battle did not decide it. Like the Battle of Blenheim, from old Kaspar's viewpoint, "It was a famous victory," except that as a result of the controversy that has raged all around it since the Battle of Jutland was fought, many experts evidently do not know whom to give the victory which was barren of any real accomplishment. However, I wish to thank the gentleman from Illinois [Mr. BRITTEN] for embellishing my few remarks with the information that he has placed within them, and the generous manner in which he yielded to my request for that knowledge concerning our Navy and its needs, with which matters he is thoroughly informed as a result of long and thoughtful consideration.

Mr. AYRES. Mr. Chairman, I yield 15 minutes to the gentleman from Tennessee [Mr. ESICK].

Mr. ESICK. Mr. Chairman, ladies and gentlemen of the committee, for a short time I shall speak in behalf of House bill No. 8979, now pending before the Military Affairs Committee. It is a bill authorizing the appropriation of \$150,000 for the improvement of the Meriwether Lewis National Monument, for the restoration of the tavern, once located therein, for use as a museum, and for other purposes. The Meriwether Lewis National Monument, or Park, is located in Lewis County, Tenn., about 70 miles southwest of Nashville, and where Captain Lewis is buried.

I know the story of the Lewis and Clark expedition is more or less familiar to you, yet I want to recall something of Captain Lewis's life, with its melancholy ending. I want to rehearse some of his many achievements, and what it meant to our country. Upon his record, I shall ask that his final resting place be cared for by the Government he served so well.

Capt. Meriwether Lewis was born near Charlottesville, Va., August 18, 1774, and he died at Grinder's Tavern on the old Natchez Trace, on the night of October 11, 1809, in what was then Hickman County, Tenn., but is now Lewis County—a county named in honor of the great explorer.

He was only 35 years of age when he died. His was an active life and one full of achievement. He was a captain in the Regular Army, Secretary to President Jefferson, commander of the expedition to Oregon in 1803-1806, and Governor of the Louisiana Territory at the time of his death.

He was of good ancestry. His mother's people, the Meriwethers, were of the highest standing and among the first families of Virginia. One of Lewis's uncles married Betty, the only sister of George Washington. He was Private Secretary to President Jefferson and relinquished this high position to head the Oregon expedition.

While only a part of his work, the name and fame of Captain Lewis rests largely on the Lewis and Clark expedition to the Northwest. Captain Lewis left Washington City on July 5, 1803. He first went to Pittsburgh and Philadelphia. Finally he went overland from Louisville to St. Louis, arriving in December, while Capt. William Clark went down the Ohio River with the boats and the men who were to make up the expedition.

When Toussaint l'Ouverture, born a slave in Africa, with his wild and disordered followers wiped out the trained troops of Napoleon in Santo Domingo it changed the Emperor's plans with respect to his holdings in the Western Hemisphere. Troubles were plentiful at his own door. Before him stood Leipzig, Austerlitz, Wagram, and finally defeat and disaster at Waterloo. It was necessary that Napoleon dispose of his American possessions. There were two imperative reasons. It was too far from home and he needed the money for it.

President Jefferson bought this Territory from Napoleon for \$15,000,000. The purchase was confirmed by Congress October 17, 1803, some months after the contract of sale and purchase was entered into by the French Emperor and the American President. The French colors went down and the Stars and Stripes were raised over the newly acquired land on December 20, 1803.

If you will look at the map showing the 48 States of the Union, you will see that it is divided into three parts, each practically of the same size; that body of country lying to the east of the Mississippi River—with the Louisiana Purchase as the central part of the United States; and then the States to the west of the Louisiana Purchase, forming the western part, or third. The Louisiana Purchase touched neither ocean, and for only a short distance it bordered the Gulf of Mexico. It extended from the mouth of the Mississippi in the Gulf of Mexico to British Columbia. This was the greatest land sale in human history. Eight hundred and eighty-three thousand and seventy-two square miles, or 565,166,080 acres were conveyed to us. Its boundaries were loosely defined. Neither Napoleon nor Jefferson knew the correct boundaries, nor the approximate description of this land. In fact, no one could state them correctly or with exactness.

Almost two months after Jefferson contracted for the Louisiana territory, he planned the expedition, and asked his secretary, Captain Lewis, to take charge of it. On June 20, 1803, President Jefferson gave written directions to Lewis. It is a lengthy paper with many and comprehensive instructions. Briefly, its purpose was to ascertain what we got under the Louisiana Purchase; to learn something of the territory lying to the west of it, with the Pacific Ocean as an outlet. He was directed to learn of the peoples inhabiting the territory from the Mississippi to the Pacific coast, their habits, occupation, the climatic conditions, and the kinds of soil. Whether the land abounded with minerals, and so forth. Special attention was given to the water courses, beginning at the mouth of the Missouri River and ending on the western coast.

The real expedition started from the mouth of the Wood (Du Bois) River, opposite the mouth of the Missouri River in the State of Illinois on May 14, 1804, and it reached St. Louis on its return September 23, 1806, consuming in this part of the expedition, 2 years 4 months and 9 days. The trip was made in crude craft by water and on foot from the mouth of the Missouri River to the mouth of the Columbia River, a distance of 4,135 miles, or a total of 8,270 miles, through a vast wilderness among uncivilized people. The soldier of fortune was the only representative of the white race who had preceded Lewis

and his party. The expedition was through a land inhabited by savage Indian tribes. The forests were full of wild animals. This journey covered more than 8,200 miles, every foot of which was through an unfriendly and hostile country, beyond the reach of aid from friendly hands; a history-making journey, full of the greatest of human hardships. The full party consisted of 45 men. Of this number, in the spring of 1805, 16 men left the main party at the Mandan towns and returned. But one death occurred in the party. Sargent Floyd died August 20, 1804, and is buried in Sioux City, Iowa, out on the beautiful river bank known as Floyd's Bluff. A \$20,000 monument marks the traveler's final home. The United States contributed \$5,000 to this monument.

A journey from St. Louis to the Pacific is a short trip now. This is the day of the steam car, the electrical age, the automobile, and the airplane. But when Lewis and Clark made their path-finding expedition it was even before the day of the horse and wagon. Farther back than that—there was no covered wagon, with its oxen, and if these had existed there were no roads for travel—not even a trace through the forest wilds. It was, indeed, a charge into no-man's land—looking out upon the star of hope, with an abiding faith in Him who guides the destiny of men, that these brave souls wrote a chapter of pioneer history in achievements that will continue to grow in importance as the years go by. In fact, men and events are not measured in their day—but by the historian and the generations of another age.

Capt. Meriwether Lewis, in the great Northwest, was the pathfinder and the first evangel of the white man's civilization. What did this expedition cost the Government?

It will amaze you how little the Lewis and Clark expedition cost the Government. Lewis made his own estimate. Let me read it to you:

Mathematical instruments	\$217
Arms and accoutrements extraordinary	81
Camp equipage	255
Medicine and packing	55
Means of transportation	430
Indian presents	696
Provisions extraordinary	224
Materials for making up the various articles into portable packs	55
For the pay of hunters, guides, and interpreters	300
In silver coin, to defray the expenses of the party from Nashville to the last settlement on the Missouri	100
Contingencies	87
Total	2,500

A total of \$2,500. Why in 1899-1900, for the use of the United States Geological Survey, upon which the old Powell-Wheeler and Haden surveys were merged, Congress appropriated \$834,240.

What of the West and Northwest then? And now? Then, the Mississippi was the western limit of civilization. St. Louis had only 925 people, and there was not a State west of the Mississippi River. In that vast body of land from the Mississippi to the Pacific coast there was not a single Senator or Representative in Congress, while east of the river were 34 Senators and more than 80 Congressmen. It was a vast body of land. The Louisiana Purchase was larger than continental Europe. It had no city or town of size except St. Louis. The hand of civilization had barely touched the primeval forest. From this great wilderness has been carved the States of Arkansas, Missouri, Iowa, Nebraska, North and South Dakota, nearly all of Louisiana, Oklahoma, Kansas, Wyoming, Montana, about two-thirds of Minnesota, one-third of Colorado, and a part of Texas.

The Oregon territory was a key situation to the United States. The claim of the United States to this territory was based on the discovery of the Columbia River in 1792 by Capt. Robert Gray, the Lewis and Clark expedition of 1805-6, the Astorian settlement of 1811, and finally in 1819 the title of Spain was acquired. It is said that the real foundation of our right to the Oregon territory was based on the discoveries and the travels of Lewis and Clark in the expedition of 1805-6. The great West and Northwest were covered by the Lewis and Clark expedition. The territory between the Louisiana Purchase and the Pacific and the Gulf was directly affected by this incursion. Our domain west of the Mississippi is within itself a great empire, with its limitless wealth and resources; with its billions of capital invested in agriculture and lands and industrial enterprises; with its millions of population, its many happy homes. That territory now has a representation in the Senate equal to, and in the House far larger than, the rest of the Union when Captain Lewis lived. Before the Lewis and Clark expedition the great area west of the Mississippi River produced no revenue for the Government. It was a liability in taxation and open to invasion. To-day it is an important part of the great Union, with immense wealth and population. In taxes it is pouring millions of dollars into the Federal Treasury, and from its livestock and agricultural productions it could

feed the teeming millions of the world. By the Oregon boundary settlement we got 183,386,240 acres of land rich in fertility of soil, timber, and mineral resources.

Ex-President Coolidge is soon to write a 500-word history, to be carved on Mount Rushmore, S. Dak., in letters so large it can be read 3 miles away. This history will cover eight epochs in our history. Four of these, either directly or indirectly, bear the guiding hand or impress of Meriwether Lewis and his expedition. They are the Louisiana Purchase of 1803, annexation of Texas in 1846, the Oregon boundary settlement in 1848, and the admission of California in 1849, and for 120 years, Meriwether Lewis, America's greatest explorer, the first of our hardy pioneers, who made the official survey of our public domain in the Northwest, "America's unsung hero," has slept in a lonely grave in the old Natchez Trace in the woodlands of Lewis County, Tenn., spending there the long, long night in death while the Government he had served so well forgot him. The students of American history make their pilgrimages there, and in the quiet woodland they find the grave, over it a little broken shaft of limestone erected by the State of Tennessee in 1848 at a cost of \$500.

THE MERIWETHER LEWIS MEMORIAL ASSOCIATION

The Meriwether Lewis Memorial Association is a voluntary organization. It is not incorporated and is without endowment. This body took up the work of caring for the tomb of Meriwether Lewis with such donations as were made by individuals. A big-hearted, generous citizen of Maury County, Mr. Clint Moore, owned the land around the grave; he donated it. The State bought 250 acres of adjacent land, and this 300-acre tract was deeded to the United States. The deed was accepted by President Coolidge and he declared the park the Meriwether Lewis National Monument. For the last three or four years it has been under the charge of the War Department. The superintendent of the Shiloh National Park has charge and supervision of it.

Until 1925 the Federal Government did not notice the Lewis burial place—never spent a dollar in marking or beautifying the grave of the patriot who had aided so much in extending the western boundaries of the United States from the Mississippi River to the Pacific coast.

John Trotwood Moore, the historian and novelist, Tennessee's sweet singer, was the first president of this association. When he died P. E. Cox, State archaeologist, succeeded him. The board of directors are among the highest and best of our splendid citizenship. It is composed of P. E. Cox, Samuel H. Hinton, Hugh Lee Webster, Frank A. Goodman, T. J. Petway, Charles Grossman, William W. Pollock, Dr. J. J. Reavis, and Gen. Claude Boyd. None of these men have received a penny compensation. They have contributed their own funds. It has been a labor of love in paying tribute to the memory of this great pioneer American.

SUICIDE OR MURDER?

May I not say a few words about the tragic death of Captain Lewis? It may interest you. It will probably never be known as a certainty whether he died by his own hand or was murdered. He was Governor of the Louisiana Territory at the time of his death. He was on his way from St. Louis to Washington to report to the President. He carried 4 trunks, 2 with public documents and 2 with personal and private papers and property. He had two servants, one a Spaniard and the other a negro. A Mr. Neely, the United States Indian agent at Memphis, was with him until the day before his death, when he stopped on the way looking for some lost horses, and was not with Captain Lewis when he died.

Lewis was following the old Natchez Trace. He came to Grinder's Inn, or tavern, about sundown. He asked to spend the night. This tavern was the first house on entering the white man's land and the last going from Nashville into the Indian territory. Lewis stopped to spend the night of October 11, 1809. The servants went to the barn, about 200 yards away, to sleep. Joshua Grinder apparently was not in when Lewis arrived. Only Mrs. Grinder and Polly Spencer, the white cook, were there. Captain Lewis either suicided or was murdered that night. Most historians have accepted the suicide theory. This is largely based on the letter of President Jefferson to Paul Allen, of Philadelphia, doubtless based on rumors and secondhand information, and especially on the unbelievable story of Mrs. Grinder, told to the ornithologist, Alexander Wilson. Mrs. Grinder told Wilson that Captain Lewis shot himself twice; that she heard him in his struggles calling for help and to heal his wounds; that she could see that a part of his skull was blown away. She said that he begged that they would shoot and kill him.

As against the suicide story and sustaining the murder view there is abundant evidence. Governor Lewis was known to have a large amount of money with him, and only 25 cents was found

after his death. His private trunks were taken, in which he kept his will and many family heirlooms, jewelry and trinkets, and these were not recovered by his family for many years—as I remember, it was 35 years after his death.

James D. Parks, of Franklin, Tenn., a student of Lewis's career, was deeply interested in knowing the real facts of his death. He made first-hand investigation and inquiry. He probably came nearer getting the correct information and real facts of what happened on the night of Captain Lewis's death than any other person. He gives splendid authority for his opinion and belief that Lewis was murdered. In 1891 he had an interview with Mrs. Christiana B. Anthony, who lived a short distance from where Lewis died, and she knew Polly Spencer, an intelligent young white woman, who was the expert cook at the Grinder Tavern and was in the tavern when Lewis was shot.

I ask unanimous consent to read into the RECORD Mr. Parks's statement, which I believe to be the authentic story of Lewis's death. It is reliable and conclusive that Lewis was murdered and did not die by his own hand. I read from pages 69, 71, and 72, volume 1, Olin D. Wheeler's *The Trail of Lewis and Clark*:

It has always been the firm belief of the people of this region that Governor Lewis was murdered and robbed. The oldest citizens now living remember the rumors current at the time as to the murder, and it seems that no thought of suicide ever obtained footing here. The writer recently had an interview with Mrs. Christina B. Anthony, who lives some 2 miles from the Lewis grave and has lived all her life of 77 years in the neighborhood. She says that old man Grinder kept a "stand" for travelers on the Natchez Trace. Polly Spencer, whom she knew well before her death about 40 years ago, was a hired girl at Grinder's when Governor Lewis was killed. Polly had often told the circumstances of the murder so far as she personally knew them.

She was washing dishes in the kitchen after supper with some of the females of the family when they heard a shot in the room where Captain Lewis was sleeping. All rushed into the room and found him dead in his bed. Captain Lewis, being fatigued from his journey, had retired immediately after supper. His only companion, she said, was a negro boy, who was attending to the horses in the barn at the time. Old Grinder, who was of Indian blood, was at once suspected of the murder, ran away, was captured at Cane Creek, brought back and tried, but the proof not being positive, he was released. Only 25 cents was found on the person of Captain Lewis after he was shot.

Old Grinder soon afterwards removed to the western part of the State, and it was reported in his old neighborhood had bought a number of slaves and a farm and seemed to have plenty of money. Before this he had always been quite poor.

Mrs. Anthony says the people always believed that old Grinder killed Mr. Lewis and got his money. She had never heard of the theory of suicide until the writer mentioned it to her. Mrs. Anthony was a young married woman, boarding with the father of Polly Spencer when Polly told her these circumstances. Mrs. Anthony thus heard an ear witness, so to speak, relate the story of the murder, which is pretty direct evidence. She is a bright, active, and intelligent old lady, and has for many years kept the little hotel at the hamlet of Newberg, the county seat of Lewis County, which is just 2 miles east of the monument.

Others living in Lewis and adjoining counties have been conversed with, who remember the general belief at that time, that Grinder killed his guest for the purpose of robbery. He must have observed that Captain Lewis was a person of distinction and wealth; that he was almost alone, and that he probably had money with him. It seems incredible that a young man of 35, the governor of the vast Territory of Louisiana, then on the way from his capital to that of the Nation, where he knew he would be received with all the distinction and consideration due his office and reputation, should take his own life. His whole character is a denial of this theory. He was too brave and conscientious in the discharge of every duty, public and private; too conspicuous a person in the eyes of the country, and crowned with too many laurels to cowardly sneak out of the world by the back way, a self-murderer. This idea was doubtless invented to cover up the double crime of robbery and murder, and seems to have been the only version of his death that reached Mr. Jefferson and other friends in Virginia.

Maj. William J. Webster, dean of the Columbia, Tenn., bar, quite an aged man, was born and reared within a mile and a half of where Lewis died. He has devoted much work and thought to Lewis's history. He knew a number of people who lived in that section when Captain Lewis died, and he often heard them discuss the tragedy. He told me that it was universally believed in that community that Captain Lewis was brutally murdered for the purpose of robbery. The theory of suicide was not heard there for many years. That Captain Lewis was murdered and robbed was an accepted fact.

The State of Tennessee appropriated \$500 for a monument to Lewis. This monument, aged and broken, stands above the grave on the edge of the old Natchez Trace. The Lewis monu-

ment committee of the Tennessee Legislature, in its report to the general assembly in 1849-50, says:

The impression has long prevailed that under the influence of disease of body and mind—of hopes based upon long and valuable services—not merely deferred, but wholly disappointed—Governor Lewis perished by his own hands. It seems to be more probable that he died by the hands of an assassin.

THE NATCHEZ TRACE

The Natchez Trace, in which Captain Lewis is buried, is within itself historical. It stretched through the primeval forest like a ribbon of moonlight. It was the first road in America built wholly or in part by Federal labor and money. By treaty with the Indians, while in command at Fort Adam, General Wilkinson established a road through their territory. Post riders carried the mail on the Natchez Trace, and were killed by the Indians as far back as 1790. The opening of this road was done under the immediate direction of Capt. Robert E. Butler and Lieut. E. P. Gaines. They had Indian guides and 10 companies of men in the laying out and the opening of this Indian trace as a post road.

For many years neither Tennessee nor Mississippi, nor the counties of either State, contributed labor or money for the maintenance of this road. It was maintained purely as a Federal road.

THE LEWIS PARK

Just a few words about the Lewis Park. It is about 12 miles from the Andrew Jackson Highway, the great arterial highway leading from the Lakes to the Gulf. The Lewis and Clark Highway runs west from the Andrew Jackson Highway by the Lewis Park and cross the State of Tennessee to the Missouri State line. Other States are being asked to name the intersecting highways leading to the Pacific coast the Lewis and Clark Highway.

The old tavern is long since gone. The only building there is a small office erected since the War Department took charge. A little work has been done on the roads within the park and in beautifying the grounds where the broken shaft stands above the grave of Captain Lewis.

Congress has many, many times honored our immortal and heroic dead. Only a short while ago, Congress gave a million dollars to honor the memory of George Rogers Clark, a brother of Capt. William Clark, second in command of the Lewis and Clark expedition. This was right. I make no complaint. I believe in honoring the memory of the dead who honored and served their country while living. Ours is a land of memories, because it has its heroes, and these heroes have written lasting pages of world history. Meriwether Lewis was one of them. Among the foremost in our history, in fact in all the ages. I shall not believe that Congress will withhold from his memory this modest tribute—a just tribute to "America's unsung hero." [Applause.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MORTON D. HULL].

The CHAIRMAN. The gentleman from Illinois is recognized for 10 minutes.

Mr. MORTON D. HULL. Mr. Chairman and members of the committee, what is the great lesson that comes from the conference in London? There may be many lessons, but there is one outstanding lesson, as I view the history of that interesting gathering. And that lesson is that you can not have naval reduction without security or without assuring to the contracting parties a sense of security, and that you can not give a sense of security in the present world without political agreements, and that political agreements imply the sanctions of force. The sanctions of force are implicit in all social order, and this is true in the relation of nations to each other as in the relation of the individual member of society to his fellow men. I am aware that this conclusion runs contrary to the prevailing American popular attitude expressed by Mr. Hoover in his Armistice Day speech of last November:

European nations have, by the covenant of the League of Nations, agreed that if nations fail to settle their differences peaceably, then force should be applied by other nations to compel them to be reasonable. We have refused to travel this road. We are confident that, at least in the Western Hemisphere, public opinion will suffice to check violations. This is the road we propose to travel.

Public opinion—that is, the mass opinion of the community—is an enormous force in our social order. None the less, we do not dispense with a police force because of the reasonableness of the public opinion of our particular neighborhood. We may live in a community of 10,000 people and have only four or five policemen. This is a tribute to the reasonableness of the community in which we live. None the less, we do have those four or five policemen. And this is because there is a criminal

fringe in all society that makes it impossible to dispense wholly with a police force, even though only a small police force. All we have said with reference to the community in which the individual lives is as true of international relations—of the society of nations as it is of the society of individuals. Perhaps it is more true. For the conflict of men against men, according to the primitive law of the jungle, in the society of individuals has long since been outlawed by civilized society. Public opinion does not tolerate it. Therefore the police power may be small. But the concept of a society of nations in which war has been outlawed is new and untried. We are slow to accept it. Nations are distrustful of each other. They have distinct recollections of past betrayals, and there still survive enough of those leaders of our national life who, while doing lip service to the idea of the outlawry of war, carry the opposite idea in their attitudes, so that we still feel their influence and fear our fellow nations. Foreign nations see the United States building a colossal navy at the same time that we are proposing a reduction of armaments, and immediately after we have ratified the Kellogg pact. They see us too, or at least they see some of our statesmen, claiming the present existence of a doctrine of the freedom of the seas inconsistent with the doctrine of the outlawry of war. Naturally, our good faith is questioned.

On the other hand, we see the dictator of a great Mediterranean power use the language of conquest to his people. We are forewarned by such speech. Indeed, we see in all of the nations enough of the survival of the jingo spirit to make us hesitate in the venture of disarmament. And others watching us are forewarned by what they feel to be a military attitude on our part. And so fear still exists. Can it be wondered that some of the nations at the London conference insist on the idea of security as a necessary prerequisite of the reduction of naval force, and on the idea of political agreements as the basis of such security?

Let me read to you this statement from a distinguished leader of some years ago. I will tell you who it is when I have finished the quotation:

From the international standpoint the essential thing to do is effectively to put the combined power of civilization back of the collective purpose of civilization to secure justice. This can be achieved only by a world league for the peace of righteousness, which would guarantee to enforce by the combined strength of all the nations the decrees of a competent and impartial court against any recalcitrant and defaulting nation.

The gentleman I have quoted from was a realist of the first water as well as an idealist. He was Mr. Theodore Roosevelt. [Applause.]

Mr. FRENCH. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. SELVIG] such time as he may desire.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. SELVIG. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. SELVIG. Mr. Chairman, I desire to invite the attention of the House of Representatives for a brief period to-day to the future policy of the United States with respect to the Philippines. There is a growing feeling in this country that a definite decision regarding the Philippines ought to be made at an early date. I share in that feeling.

The House Committee on Insular Affairs should give earnest study to the several bills before it, report out a measure that the committee approves, and thus place the problem squarely before the House for final action.

I am willing to concede, at the outset, that the problem presents difficulties. All who have given it some thought and study will agree there are many phases of the Philippine independence problem which must be carefully considered before Congress expresses its judgment by voting on this important question.

The proposal to grant independence to the Philippines has recently been exhaustively discussed in committee hearings conducted by the Senate. The facts brought out during those hearings are available to all. For that reason I shall not review the historical facts which can be adduced in favor of Philippine independence. They have already been presented. I shall not, either, for lack of time and because they, too, are fully discussed in the hearings referred to, restate the numerous reasons, historic, moral, and humanitarian, which can be urged in behalf of independence.

I have requested the opportunity to-day to present briefly the economic side of this problem. I desire to add my testimony to that of the leaders of our national farm organizations and of

my colleagues in the House of Representatives and elsewhere, who see in the continuation of the present relationship between the Philippines and the United States a serious menace to our domestic agricultural interests.

I do not omit the important facts that can be presented showing the historical and moral reasons for granting Philippine independence, because I consider them to be of less importance than the economic side of the argument. Far from that. In fact, I consider the moral reasons paramount. I omit them solely because they have been fully and conclusively presented heretofore and because testimony fortifying these reasons is available in many official documents of our Government.

EXPORT TRADE OF THE PHILIPPINES

The increasing amount of duty-free importations from the Philippine Islands to the United States, of copra, coconut oil, and of sugar, which make up the bulk of these imports, can best be realized by studying the volume of export trade from the Philippines.

In 1900 exports from the Philippines to the United States aggregated 12.9 per cent of their total exports. The average for 1900 to 1908, inclusive, was 32 per cent. In 1909, the year free trade between the Philippines and the United States was established, the exports increased to 42.17 per cent. Ten years later it was 50 per cent, and in 1927 the United States received 74.59 per cent of the Philippine products.

As to whether there will be a large increase in the future of imports to the United States from the Philippines, I can only rely upon the testimony which has been presented upon numerous occasions and in great detail by competent students of the potential productive capacity of the Philippines. These men, who have first-hand knowledge of the situation, state that the Philippines are capable of very wide expansion of agricultural production beyond that which exists at the present time. In the future there will be, they aver, an expansion of agricultural and lumbering operations there to many times the present volume.

EXPORTS INCREASED 570 PER CENT

Philippine exports to the United States increased from one-seventh of their total exports in 1900 to three-quarters of their total exports in 1927. These figures indicate what may be expected in the future if the present duty-free privilege is continued. While this country receives a large proportion of other commodities, the United States is the sole market for all the coconut oil produced in the Philippines.

I realize that the present uncertainty as to what the United States will finally decide shall be done with the Philippines may result in slowing up current development. If it is determined that trade relations with the Philippines are to be continued on the present free-trade basis, we can confidently expect a tremendous expansion in exports to the United States. American capital seeking to benefit by low-priced labor in the Philippines would seek new fields there for development and exploitation. There can be no reasonable doubt as to this.

It is not my intention to present in elaborate detail the situation as I view it. I do, however, desire to take the time to make the situation clear with respect to sugar imports and the importation of vegetable oils from the Philippines.

IMPORTS OF SUGAR AND OILS

The production of sugar in the Philippines increased from 294,402 tons in 1898 to 740,987 tons in 1928. The sugar imported to the United States from the Philippines in 1927 aggregated 473,674 long tons. The ratio that the imports of sugar from the Philippine Islands bears to the total consumption of sugar in the United States is therefore of such magnitude at the present time as to seriously affect the domestic sugar-beet industry. I shall later submit detailed figures in support of this fact.

FUTURE PRODUCTION

Notwithstanding assurances that the sugar industry in the Philippines can not and will not be greatly expanded, the evidence seems quite positive that great areas are available for sugar plantations. Add to that an abundant labor supply from nearby countries, in case the supply of labor in the Philippines is insufficient, and it requires no great stretch of imagination to forecast a greatly increased production of sugar there.

In fact, one very eminent authority states that the Philippine sugar industry will have a maximum potential production annually of approximately 1,000,000 tons 10 years from now, assuming that the present free-trade relations between the United States are not disturbed.

SUGAR IMPORTS

According to information compiled by the United States Tariff Commission, the Philippines imported free into the United States for the calendar year of 1928 sugar worth \$46,873,000, which was 22.4 per cent of the total value imported from all

countries, including the Philippines, into the United States and 40.5 per cent of the total value of all commodities imported from the Philippines into the United States.

COCONUT-PRODUCTS IMPORTS

The report further shows that they imported during 1928 into the United States \$43,969,000 worth of coconut products, which was of the total value imported into the United States from all countries, including the Philippine Islands, 100 per cent of coconut oil, 72.6 per cent of copra, 76.9 per cent of coconut meat, desiccated, and 79.2 per cent of coconut oil cake or meal, which total coconut products imported into the United States from the Philippines were 38 per cent of the total value of their products imported into the United States.

The Payne-Aldrich Tariff Act of 1909, which gave duty-free entry into our ports to most of the products of the Philippines, limited the duty-free importations of Philippine sugar to a maximum of 300,000 tons per annum. From that time on the importations have increased to 473,674 long tons in 1927.

Now, let us look further into the copra and coconut-oil industries. From the figures presented in a letter dated September 30, 1929, to Senator WILLIAM E. BORAH by the two able Resident Commissioners from the Philippines we find, as taken from the Summary of Commerce of the United States, that the Philippines shipped into the United States 185,427,931 pounds of copra during the seven months ending July 31, 1929.

IMPORTS DURING 1928

For the year 1928 there were the following imports to the United States from the Philippine Islands:

	Pounds
Coconut-oil cake	22,743,466
Coconut-oil meat	46,695,592
Cane sugar	1,150,030,515
Copra	371,889,394
Coconut oil	290,636,702
Tobacco	3,726,967
Cigars	2,574,138

The importation of copra from the Philippines to the United States in each of the years 1927, 1928, and 1929 has been more than 300,000,000 pounds. The importation of coconut oil from the Philippines to the United States has increased from 281,654,000 pounds in 1927 to 411,936,213 pounds in 1929.

GRAVE MENACE TO DAIRY INTERESTS

The magnitude of these importations constitute a grave menace to the domestic dairy interests. It furnishes a substantial reason why the demand for Philippine independence is supported by the dairy groups of the United States. Their plea is for protection against this vast flood of oil which menaces the domestic oils and fats industry. Unless adequate protection is afforded, the domestic dairy industry and the oils and fats industries will be ruined. It is well understood that, regardless of whether there is free trade or not, copra will continue to be exported to this country. The dairy farmers demand a protective tariff on these importations.

Right here I wish to insert as a part of my remarks testimony given by Mr. Charles W. Holman, of Washington, D. C., representing the National Cooperative Milk Producers' Federation, the American Cotton Growers' Exchange, and the National Livestock Producers' Association, when he appeared before the Senate Committee on Finance and testified with reference to imports from the Philippine Islands. Mr. Holman testified as follows:

"The oils and fats problem, as we have told the committee several times, constitutes the largest single competitive problem that American farmers have to face in the pending tariff legislation. About \$148,000,000 worth of these oils and fats come into this country every year. Only about \$603,000,000 of products come in that compete with agricultural products of the farmer. Of that the Philippines send to us a considerable quantity. They send to us about 508,000,000 pounds of coconut oil—that is, of oil content.

Mr. Holman was referring to the last figures, which apply to the year 1927, and stated that this was coconut oil plus the coconut oil in the copra.

I wish also to refer to the fact that this coconut oil is a competitor with the dairy farmers. Mr. Holman states in his answers to the Committee on Finance the effect of coconut oil on the American farmer:

Senator BINGHAM. Are the dairy farmers interested in what goes into oleomargarine?

Mr. HOLMAN. Very deeply, sir. Oleomargarine is a great competitor with 85 to 88 score butter, and there is a differential usually—

Senator BINGHAM. Do you care whether it is made of coconut oil or cottonseed oil?

Mr. HOLMAN. Yes; we do. As a matter of fact, Senator, we would prefer to have it made from a domestic product, because then it would help our brother farmers in the southern section of the country and

tend to stop what is now a rather serious problem to us, namely, the increase of dairy cows in this country.

Senator BINGHAM. Coconut was developed as a food product, but I never knew that cottonseed was intended as a food product.

Mr. HOLMAN. Cottonseed oil is one of the best edible oils in the United States.

Senator CONNALLY. Most of your "olive oil" made up in Connecticut is made out of cottonseed oil. [Laughter.]

Senator BINGHAM. You should not give that away. [Laughter.]

Mr. HOLMAN. I shall have to find those figures a little later for you, Senator. I shall be glad to file them.

Senator SIMMONS. Originally almost all of the oleomargarine was made out of cottonseed oil?

Mr. HOLMAN. Originally; yes. It is something over 100—I should hate to give the figures here without referring to the statistics.

Senator COUZENS. They are all in the record, are they not?

Mr. HOLMAN. They are all in the record, however; and they show that at the present time only around 20,000,000 pounds of cottonseed oil is used in oleomargarine, whereas in the older days considerably over 150,000,000 pounds were used; and at the present time about a quarter of a billion pounds of coconut oil goes into oleomargarine making. The facts are that the prices of coconut oil do effect the prices of cottonseed oil and the other oils and fats in this country.

The United States can produce a plentiful supply of vegetable oils right here in our own country, even if all importations from the Philippines were shut out. Overproduction of dairy products in the United States seems imminent. The constantly increasing flow of Philippine vegetable oils greatly aggravates the danger which confronts our dairy farmers.

In a speech which I gave in the House of Representatives on March 2, 1929, the necessity was stressed of giving consideration to protecting our domestic producers from the vast volume of vegetable oils flowing into the United States from the Philippines.

Let me quote from that speech:

The acquisition of the Philippine Islands 30 years ago, a close student of our agricultural industry recently said, is costing the American farmers at least \$150,000,000 this year. These figures are conservative. Others say that the real cost is several times that much.

PHILIPPINE IMPORTS

I stated a few minutes ago that coconut-oil production in the Philippines now runs around 1,000,000,000 pounds per year, and that half of this is shipped into the United States. In this country coconut oil replaces American farm-produced oils and fats, pound for pound, and forces the higher-priced American products out of the United States into the cheaper foreign trade. This coconut oil goes principally to the soap and oleomargarine manufacturers and thus competes with the producers of lard, butter, cottonseed, soybeans, peanuts, flax, and even, to some extent, with corn.

Of the 575,000,000 pounds imported in 1927, 88 per cent came from the Philippines.

How does this vast importation affect the American farmers? One had but to listen to the testimony presented before the Ways and Means Committee to learn of this. All the witnesses were agreed that bringing 575,000,000 pounds of vegetable oils into the country simply takes away the market from 575,000,000 pounds of oils and fats produced on American farms, or almost 10 per cent of all the farm oils and fats in the United States.

As was stated in a recent study of this problem, the native who harvests coconuts in the jungles of Luzon is thus a considerable factor in holding down prices of hogs in the Middle West, of soybeans in Illinois and North Carolina, of cotton and peanuts in the South, of flax in the Northwest, and of dairy products all over the United States. At least 75 per cent of all the farmers in the Nation are affected in a substantial way by this form of competition.

VEGETABLE-OIL IMPORTS ARE INCREASING

What will happen in 5, 10, or 15 years hence? The producers of the country have a right to ask this question. This we know: The Philippine coconut industry is expanding at a tremendous rate. It is estimated that within five years the Philippine coconut-oil production will be above 1,600,000,000 pounds and above 2,000,000,000 pounds by 1939. Something must be done to stop this flood of oil.

The tariff on vegetable oil will be of no avail unless it is applied to oil coming from the Philippines, as well as to oil produced in foreign countries. This was also emphasized in the speech on the tariff which I gave on May 6, 1928.

These duty-free imports place our dairy and livestock farmers in direct competition with the labor of the Philippines and the Orient. The vast profits of the capitalists who exploit this cheap labor are well known. That their labor costs are low is shown by the following figures, showing daily minimum wages paid in the Philippines. The following table is for the year 1922:

Wages paid in the Philippines

	Daily minimum
Agricultural laborers	\$0.30
Embroiderers	.25
Fishermen	.50
Hatters	.50
Lumbermen	.30
Miners	.87
Printers	.70
Sawyers	.75
Masons and bricklayers	.60
Mechanics	1.20
Blacksmiths	.65
Unclassified laborers	.20

As was stated at the outset, my remarks would be too long if I enumerated the historic, moral, and humanitarian reasons for granting independence to the Philippines. I must confine myself to the economic side of the case, but want it distinctly understood that too great weight and prominence can not be given the other factors.

GROWING DEMAND FOR INDEPENDENCE

There has been a widespread interest in the Philippine independence question during the past year. As you will recall, it was given considerable consideration during the progress of the debate on the tariff bill in the Senate. On September 16, 1929, the Senator from Idaho [Mr. BORAH] stated the situation so concisely and logically that I wish to call the attention of the House to one paragraph of his speech:

I am not going to discuss the Philippine question to-day, but it comes in here for consideration, because the American farmer at this time is carrying the entire load, from an economic standpoint, of the Philippines. I have wondered if the Philippines were producing manufactured goods as they are capable of producing agricultural products and were sending those manufactured goods into the United States, whether there would be the same equanimity among our friends as to giving free trade to the Philippines that there is at the present time? Duties can be levied as may be seen fit, and levied upon sugar, but the beet-sugar industry will disappear if it is compelled to fight the free-trade importations of the Philippines. Over 600,000,000 pounds of coconut oil and copra are imported each year into this country. These things come in conflict with the American producer, and so far as the bill goes they are left to compete with the Philippines upon a free-trade basis. It may or may not be a factor for this bill, but it is an element which enters into the picture of the condition of agriculture accentuating all the more the necessity for giving protection where it is possible to give it.

The logic of the argument of the Senator from Idaho is irrefutable.

DAIRY FARMERS ARE HIT

The present market for duty-free Philippine imports conflicts most severely with the market which a large group of our own people, the farmers, desire. Their real argument is that the Philippine market here interferes with the market of a large number of our own people in this country.

The movement to effect Philippine independence must not be allowed to drag until some indefinite time in the future. Every year of delay will fasten the present economic status and make it more difficult to secure a change. If the free-trade basis is permitted to continue for 20 years longer it will make the Philippine independence a political impossibility.

On the other hand, it will be necessary to grant a reasonable period of time before an independent resolution would take effect. The people of the Philippines should be allowed time in which to get ready for the new relationship which will involve necessary economic adjustments.

PRESS DISCUSSES INDEPENDENCE

Newspapers and the press generally have given much space to the discussion of the Philippine independence problem during the past year. On December 27, 1929, the Minneapolis Tribune published an editorial, "The Philippine issue grows warm again," which states the situation so clearly and logically that I desire to include it with my remarks:

THE PHILIPPINE ISSUE GROWS WARM AGAIN

The eastern press is professing great indignation because Representatives from dairy and sugar-beet States are demanding that the Philippine Islands be given their independence. The eastern commentators hold up their hands in horror at the idea of permitting agricultural considerations to become involved in a question of national policy.

We quite agree that the Philippine question is one which should be decided on its merits. We quite agree that it should be studied in all its aspects. But we see no reason for "strafing" the dairy and sugar-beet people because they wish the subject discussed. It is natural for people whose economic interests are adversely affected by a particular arrangement to ask for a thorough examination of that arrangement.

Congress can do no less than to make an audit of the Philippine situation.

The Tribune is unable to see where the Philippine adventure has, in the national sense, vindicated itself. Our national policy is pretty well summed up in the Monroe doctrine. The doctrine puts a rather arbitrary wall around the Western Hemisphere. We forbid outsiders to climb over that wall, we expand within the limits of the wall, and we do not ourselves venture much beyond the wall. That, in essence, is the national policy. We believe it to be sound. An island power like Britain no doubt had something to gain by picking up remote possessions all over the globe. But a policy which might be all right for an insular power like Britain might be all wrong for a continental power like the United States. It is our belief that if this country were offered the British Empire as a gift the wise mode of procedure would be to refuse it. We see nothing but grief in remote overseas adventuring.

The acquisition of the Philippines, in the first instance, represented a break with the well-established American policy. The Monroe doctrine does not encourage us to imitate the British policy of spreading out over the seven seas. On the contrary it is a pretty plain mandate to Americans to keep their activities confined to the Western Hemisphere. And that mandate only conforms to the dictates of common sense. What would happen if the United States were offered Bulgaria, for example? Americans would immediately declare that we had no business in the Balkans, and that the sensible thing would be to keep out of them. With our Haitis, our Nicaraguas, and our other inescapable problems, we have trouble enough in our own hemisphere. Why travel abroad and gratuitously saddle ourselves with more vexations?

It was probably national vanity that induced us to take over the Philippines. The words "Pacific power" has a lordly sound, and the word "empire" has a hypnotizing effect upon many individuals. But, so far as the Tribune can see, the United States ceased being American and "went British" temporarily when it first involved itself in the Philippines. We have no more business in the Far East than we have in the Near East.

We entered upon this Philippine adventure cautiously and timorously. We were careful to explain that we intended to stay in the Philippines only a short time. During the 30 years that we have been in the Philippines our policy has been one of bewilderment and befuddlement. Were we an empire-minded people we should simply have announced to the world another annexation and let the matter go at that. But we didn't know quite how to behave. We were imperialistic and non-imperialistic at one and the same time. We were reluctant to admit that we intended to keep the Philippines, and equally reluctant to fulfill our pledge regarding their independence. Throughout the Philippine adventure we have been Americans using a British accent. The result is we have been neither consistently American nor consistently British. Our policy has been a hybrid policy. We didn't want to go forward; we were in too deep to wade back.

As time went on the United States found itself confronted with a serious domestic problem, namely, the decline of its basic industry, agriculture. It also discovered that Philippine agricultural activity was injurious to American agricultural activity. Specifically, oleomargarine is a low-priced competitor of butter; and cheap coconut oil imported from the Philippines is a favorite element in the manufacture of margarine. Minnesota, the leading butter State in the Union, could not but be adversely affected by the competition. Right now oleomargarine is making serious inroads into the normal butter markets. Its use is increasing at the rate of 50,000,000 pounds a year. Less butter was received at the five major markets of America during 1928 than during 1927.

For a considerable period no group of Americans was much interested in the question of the Philippines. Recently the dairy people on observing that Philippine agricultural competition was hitting them where they lived, began to take a lively interest in the topic. The American Congress is sure to hear a great deal more about it during the next few months.

We believe that an overwhelmingly strong case is to be made out for granting the Philippines their economic independence. That is a different way of saying that an overwhelmingly strong case is to be made out for putting an end to the existing free-trade arrangement. The Philippines should have the right to levy whatsoever tariffs they pleased upon importations from the United States; and the rates written into the American tariff laws should apply to the Philippines exactly as they apply to Canada or any other foreign country. We believe that that much is owed both the Filipinos themselves and American agriculture. Blunder though we believe the acquisition of the Philippine Islands to have been, we are not prepared to say that the immediate severance of all political ties between the Philippines and the United States would be advantageous to either the islands or America. But we do not see that that issue, at the moment, is pertinent. Economic independence should precede political independence. The Philippine Islands should be allowed to develop their commercial activities on the basis of an independent nation. In no other way can they be fitted for political independence when it is ultimately accorded them.

Prompt action is necessary. Congress should give early attention to this problem.

EXACT RESTRICTION OF IMPORTS

Congressman CHARLES B. TIMBERLAKE, of Colorado, has advocated Philippine restriction of Philippine imports of sugar, copra, and coconut oil as an immediate step pending action by Congress for Philippine independence. In a recent statement Mr. TIMBERLAKE said:

I am more than ever convinced of the necessity of some form of restriction on duty-free Philippine agricultural imports as a measure of relief for American farmers. Producers of farm products in the islands, under low wage and living standards, are damaging our farmers in the United States market.

Our present policy is one of drifting, although this country's honor is pledged to give the Philippines their independence ultimately. Their political status is not clearly defined; a date ought to be fixed for their freedom. Sentiment favorable to such a course is rapidly growing throughout the United States.

The Filipinos have already received at Uncle Sam's hands more bounties than they can ever hope to repay. But we must either turn them loose soon or confront a most dangerous situation of competition from them within the United States to the detriment of our people. At the earliest favorable opportunity I will again renew the demand upon Congress from farm organizations of the United States for a solution of this problem.

His resolution, House Joint Resolution 330, which was reintroduced on May 5, 1930, should be passed before Congress adjourns. It is imperative that this first step be taken now.

The farmers of the United States are aroused. They demand action not only on the restriction resolution but also on the question of Philippine independence. [Applause.]

Mr. AYRES. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. GARNER].

The CHAIRMAN. The gentleman from Texas is recognized for 10 minutes.

Mr. GARNER. Mr. Chairman and members of the committee, I just came into the Chamber a moment ago, and I desire to make a brief statement in order that the committee may know something about the labors of the conferees on the tariff bill.

I understand that under the rules of the House you can not tell what occurs in the conference, neither is it permissible to disclose what anyone says there as a member of the conference or how their votes are cast. But I understand it is not entirely out of order to recite the facts as to when the conference meets and when it adjourns. So I will recite the fact that the conference met at 2 o'clock this afternoon. The conference adjourned about 4 or 5 minutes ago—and it is now 10 minutes of 3—until to-morrow morning at 10 o'clock.

The purpose of the conference in my opinion—and I think that that opinion is well based on fact—was for the purpose of giving an opportunity for a partisan conference—that is to say, that 6 Members—3 Members of the House and 3 Members of the Senate—might confer and agree upon what might be done when the full official conference should meet again to-morrow morning at 10 o'clock.

Now, Mr. Chairman and members of the committee, I have no complaint to make about that, but I will say that this bill has been considered in more of a partisan spirit than any other legislation in the history of the country.

First, the bill was made up by 15 Republican members of the Ways and Means Committee, and I shall put in the RECORD by permission the States which they represent, so that the country may understand just how the country as a whole is represented. The Republican Members who made up the bill and the States they represent are:

Hawley, Oregon; Treadway, Massachusetts; Bacharach, New Jersey; Hadley, Washington; Timberlake, Colorado; Watson, Pennsylvania; McLaughlin, Michigan; Kearns, Ohio; Chindblom, Illinois; Crowther, New York; Aldrich, Rhode Island; Estep, Pennsylvania; Ramseyer, Iowa; Davenport, New York; Frear, Wisconsin.

The bill was passed without an opportunity for a Democratic Member to offer an amendment, although the rule provided that members of the Ways and Means Committee might have preference in offering amendments authorized by that committee. After considering only 4 of the 434 pages, or 82 of the 10,681 lines in the bill, it was passed by the House and sent over to the Senate. The Senate gave it consideration from a partisan standpoint; that is to say, the Republican membership of the Finance Committee considered the bill without giving the Democratic members an opportunity to join in that consideration.

So the bill was reported to the Senate, and it was considered there, as bills can be considered in the Senate, with a full and free opportunity for every Member of the Senate to offer amendments and an opportunity for every Senator to express himself upon it, and to vote upon its various provisions which opportunity was denied the Members of the House.

It was sent to conference, and after full and free conference, as far as the Republican Members of the House would trust their conferees, it was reported back. You declined to trust your conferees on certain problems. You would not even take their word for it, Mr. Speaker. You would not trust the gentleman from Oregon [Mr. HAWLEY]; you would not trust the gentleman from New Jersey [Mr. BACHARACH]; you would not trust the gentleman from Massachusetts [Mr. TREADWAY] and take their word for what they would do. But you compelled them, before you would intrust them with this piece of legislation, to agree to bring it back to the floor of the House with an opportunity for you to look it over. They did that. What was the result? The result is a reversal of your action on three very important provisions—sugar, cement, and shingles. Now, after you have voted on these and reversed them, you release them of all obligation to have a full and free conference on the part of the House.

The Senate met day before yesterday and agreed to another conference, and sent it back to the House, asking for an agreement by the House. The House gave its consent and it went back to conference. To-day we had this conference. It developed that again it is not a full and free conference. We can not bring back a complete conference report. It is impossible for your conferees to come to a conclusion because another body is not willing to trust their conferees, as you were not willing to trust yours.

They have not even secured absolution from all further consideration in the Senate, as to their promises as to what they will do on certain amendments. The result was we were in conference for three-quarters of an hour, and they finally resolved, at the suggestion of the best politician in the conference, probably, that "we had better send the Democrats out and get together and see if we can not arrive at a partisan conclusion."

They are over there now in conference, endeavoring to iron out their individual differences, and make up what in the beginning you intended it to be, a purely partisan bill, without any consideration of certain sections of the country, without certain sections of the country being represented, without an opportunity of having a voice even in the conference, but making it up as a partisan bill.

I think this has never been done in the history of this country, and the country does not believe in this kind of legislation. The country does not believe you ought to exclude from consideration in conference those you have delegated to perform that duty in order that you may iron out particular differences.

Mr. Speaker, unless you and the gentleman from Connecticut [Mr. TILSON] exercise your good offices and do it early, you are not going to have any tariff bill. I do not think that is going to hurt your feelings very much, Mr. Speaker. I do not know how it is with the gentleman from Connecticut [Mr. TILSON] because he has gotten a great deal out of this bill. In fact, he has sewed up all the fences in Connecticut and all the surrounding territory, and has secured increases on almost everything from fish to battleships.

I just wanted to take this time, Mr. Speaker, to enter my protest against the methods pursued in the formulation and passage of this tariff bill. I do not believe it appeals to the good judgment of the Republican membership of this House. I do not believe in your consciences and in your hearts, you believe that it is the right thing, under our theory of government, to exclude from the consideration of legislation, even to the extent of a conference agreement, the entire minority side of the House. In my opinion, it can not be defended.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. SPROUL of Kansas. Is the sentiment the gentleman is evincing that of jealousy because he fears this is going to be a wonderfully popular bill, and that the Democrats are going to get the worst of it, because they are not permitted to be in on the making of it?

Mr. GARNER. Well, I do not know, Mr. Chairman, whether the gentleman refers to advantage from a party standpoint or advantage from the standpoint of the industries of the country. But if he means advantage from a party standpoint, I will say, sir, that I think the Democrats have the best of it in this instance and we are perfectly willing to let the Republicans have their way, but we do feel we have an obligation to discharge; that we have been elected to Congress by our constituents, and it is our duty to serve them the best we can and get the best legislation we possibly can from conference, from the House or from the Senate. We would be derelict in our duty if we permitted you and your party organization to exclude us entirely from the consideration of any legislation without entering our protest, and especially in not permitting us to

have an opportunity to contribute what we can toward perfecting a very bad piece of legislation under the best of conditions.

Mr. DENISON. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. DENISON. What particular difference does it make anyway, if the Republicans are willing to assume the responsibility of the bill, because the gentleman and those for whom he is speaking intend to vote against it, and prevent it from becoming a law if possible. So what difference does it make whether you are taken into the conference for the purpose of helping write the provisions of the bill?

Mr. GARNER. I would call the gentleman's attention to the fact that if he will examine the record made last week he will find that his statement is not borne out. As I recall—I do not have it before me, but I have it on my desk—over 90 Republicans joined with the Democrats, over the protest of their organization and against the judgment of the 15 Republican members of the Ways and Means Committee, and adopted a policy with reference to certain items in this bill.

It is my duty to represent the minority members, and as long as I am one of the conferees I am going to do my duty and protest in each instance against the unfairness of it, the injustice of it, the un-Americanism of it, and the parliamentary methods you have adopted in passing this legislation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. AYRES. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. COLLIER. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. COLLIER. I want to ask the gentleman if it does not go further than that? Does not that kind of a practice destroy our representative government and form of government?

Mr. GARNER. To my mind it is very unfair, un-American and it is not in accord with our Constitution. It is our theory of government that all shall be represented, but if we had left it to the Republican membership you would not have made the changes which were made last week. Those changes were made by Democrats; those changes were made by virtue of Democratic votes, and you would never have given them to us except you were forced to do so under the rules of the House, or else you would have been forced to bring in a rule that would have gagged this House to a point where you could not have adopted it. I want to say that if you had attempted to avoid the votes which were taken last week the Republican side of this House would have revolted against any such rule, a rule which would have provided for the taking away from the House all possible opportunity of passing on differences between the two Houses on amendments that had to be brought back to the respective bodies.

Mr. DENISON. Will the gentleman yield?

Mr. GARNER. Certainly.

Mr. DENISON. Do I understand, then, that the gentleman from Texas is opposed to the system of party government that we have always had in this country?

Mr. GARNER. Oh, no; and the gentleman should not indicate anything of the kind. I am an intense believer in party government, but I do say that party government does not go to the extent of excluding the other party from the consideration of legislation either in the House or in conference. I do not believe that in the name of party government you should do an unjust thing and not give the minority an opportunity to consider legislation. The gentleman is on the Interstate and Foreign Commerce Committee and you have party government there. Suppose your party determines upon a policy with reference to matters coming before your committee, would the gentleman advocate excluding all the minority from the deliberations of the committee, and after the proposed legislation got into the House of Representatives, would you prevent them from offering amendments to perfect the legislation, and would you go still further and when you were on the conference committee with the gentleman from Texas [Mr. RAYBURN] would you favor excluding him from the room while you prepared the party's program with reference to the legislation from your committee? Would the gentleman do that? Answer my question.

Mr. DENISON. I would not exclude anybody, so far as I am concerned.

Mr. GARNER. That is all I am asking in this instance.

Mr. DENISON. But since the gentleman has asked me the question, I would say that when the two political parties go to the country on a political issue like the tariff question and one

of them wins an overwhelming victory, I think the others ought to take their defeat like sportsmen and let the winning party write the law; and if the Democrats go to the country on the tariff issue, as they have done heretofore, and win the election overwhelmingly, the Democratic Party ought to be allowed to write the tariff bill.

Mr. GARNER. Why should not that apply to every other piece of legislation that involves party politics?

Mr. DENISON. It ought to apply if it is a party question.

Mr. GARNER. They are party questions. Do you not have party questions on matters outside of the tariff? The gentleman answered the question by saying he would not exclude the Democrats on the Interstate and Foreign Commerce Committee, but would give them an opportunity in the House to offer amendments to perfect any proposed legislation. The gentleman also said he would not exclude them from the conference. All I am complaining about in regard to this legislation is that from the very beginning no such policy, as the gentleman says he would follow, has been pursued with reference to this legislation. On the contrary, you have excluded every Democrat from any consideration, not only in committee but in the House of Representatives, and now when you get into difficulties, after we have gone along with you and have made up a partial report with respect to over 1,200 items, you come in and in your last moments, when you are in great distress, you propose to exclude them from the deliberations of the conference.

Mr. Chairman, I merely want to enter my protest against this procedure and to let the House of Representatives know it is our desire to contribute what we can to this legislation. [Applause.]

Mr. FRENCH. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HOCH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 12236) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes, had come to no resolution thereon.

PILGRIMAGE OF MOTHERS AND WIDOWS OF DECEASED SOLDIERS, SAILORS, ETC., TO CEMETERIES IN EUROPE

Mr. WURZBACH. Mr. Speaker, I call up the conference report on the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe, to make a pilgrimage to these cemeteries," and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. The gentleman from Texas calls up the conference report on the bill (H. R. 4138) and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4138) having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "That the act of March 2, 1929, entitled 'An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries,' be, and is hereby, amended to authorize the Secretary of War to arrange for pilgrimages to cemeteries in Europe by mothers and widows of those members of the military or naval forces of the United States who died in the military or naval service at any time between April 5, 1917, and July 1, 1921, wherein death and burial of the member occurred at sea or wherein the death of the member occurred at sea or overseas but whose place of interment is unknown, or who is interred in any identified grave in Europe, the same as is provided in the case of mothers and widows of members of said forces whose remains are now interred in identified graves in

cemeteries in Europe, at the expense of the United States and under the conditions set forth in section 2 of said act"; and the Senate agree to the same.

HARRY C. RANSLEY,
HARRY M. WURZBACH,
PERCY E. QUIN,

Managers on the part of the House.

DAVID BAIRD, JR.,
PATRICK SULLIVAN,
MORRIS SHEPPARD,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 4138) to amend the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to the amendment agreed:

The amendment of the Senate to section 1 of the House bill provided that mothers be permitted to make the pilgrimage to any identified grave of a United States World War soldier, sailor, or marine buried in Europe whether the grave be in a cemetery or not. The act of March 2, 1929, provided that the pilgrimage be only to cemeteries. To this amendment your conferees agreed. The same Senate amendment, however, struck out the language of the House which permitted the mothers of sons buried at sea or in unknown graves in Europe to make the trip. By action of the conferees this language was restored, so that the law as amended will permit the mothers of United States soldiers, sailors, or marines who are buried in Europe in graves where they fell or in cemeteries, who are buried in unknown graves, or who died at sea, to make one pilgrimage to Europe at the expense of the United States Government.

HARRY C. RANSLEY,
HARRY M. WURZBACH,
PERCY E. QUIN,

Managers on the part of the House.

Mr. WURZBACH. I will state that the conferees unanimously agreed upon this report. The effect of the conference report is to approve the bill as it passed the House, with the addition of the following language, "or who is interred in any identified grave in Europe," so that the bill now reads as follows:

Be it enacted, etc., That the act of March 2, 1929, entitled "An act to enable the mothers and widows of the deceased soldiers, sailors, and marines of the American forces now interred in the cemeteries of Europe to make a pilgrimage to these cemeteries," be, and is hereby, amended to authorize the Secretary of War to arrange for pilgrimages to cemeteries in Europe by mothers and widows of those members of the military or naval forces of the United States who died in the military or naval service at any time between April 5, 1917, and July 1, 1921, wherein death and burial of the member occurred at sea or overseas, but whose place of interment is unknown, or who is interred in any identified grave in Europe, the same as is provided in the case of mothers and widows of members of said forces whose remains are now interred in identified graves in cemeteries in Europe, at the expense of the United States and under the conditions set forth in section 2 of said act.

As stated before, the words "or who is interred in any identified grave in Europe" are the only words added to the House bill as it passed the House on March 4, 1930, and no words have been subtracted therefrom.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. WURZBACH. I yield.

Mr. DICKSTEIN. I spoke on the floor yesterday, and referred to a bill, H. R. 4109, introduced by me originally, authorizing the pilgrimage back in 1923, and so I am very much interested in this legislation.

As I understand, this amendment takes care of the mothers of the boys whose graves are not known but who are buried within a certain area. I think that is an excellent amendment, because I have a case where a mother lost two or three sons in the Argonne. They do not know where they are buried but she believes that she can find where they are buried, and under the present law she could not go on the pilgrimage, but this will take care of a case of that kind.

Mr. WURZBACH. Yes; and the gentleman has been very helpful in this legislation. He was one of its pioneers.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. WURZBACH. Yes.

Mr. McCORMACK of Massachusetts. Is it the intention to cover the case of men reported lost in action, the inference being that they were killed and perhaps blown to pieces? Does the gentleman understand that the phraseology will cover mothers of those unfortunate men?

Mr. WURZBACH. I think the bill as amended will cover those cases. In fact, the language in the original bill covers such cases, and the amendment we have adopted makes the law more liberal in another respect.

Mr. McCORMACK of Massachusetts. It was the intention of the committee to cover the mothers of those boys—the case where the Government does not know whether they are buried or whether they were blown to pieces.

Mr. WURZBACH. Yes.

Mr. McCORMACK of Massachusetts. I wanted the gentleman's opinion because it might assist in the interpretation of the law.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

CLAIM OF THE GOVERNMENT OF NORWAY (S. DOC. NO. 144)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and with accompanying papers, referred to the Committee on Foreign Affairs and ordered printed.

To the Congress of the United States:

I inclose a report received from the Secretary of State requesting the submission to the present Congress of the claim presented by the Government of Norway against the United States for reimbursement on account of losses sustained by reason of the detention of the Norwegian steamer *Tampen* by the United States Coast Guard during June, 1925.

I concur in the recommendation made by the Secretary of State and recommend that, as an act of grace and without reference to the question of the legal liability of the United States in the matter, the Congress authorize an appropriation in the sum of \$8,765 in order to effect the settlement of all claims arising as a result of detention of the vessel.

HERBERT HOOVER.

THE WHITE HOUSE, May 9, 1930.

BRIDGE OVER THE MISSOURI RIVER AT RANDOLPH, MO.

Mr. DENISON. Mr. Speaker, the House passed a bill some little time ago extending the time for building a bridge across the Missouri River at Randolph, Mo. The Senate has passed it and made a slight amendment. It is H. R. 8562, to extend the time for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo. I ask unanimous consent that it be taken from the Speaker's table and that the House agree to the Senate amendment.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendment.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 1, line 6, after "Company," insert "its successors and assigns."

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

BRIDGE ACROSS THE FRENCH BROAD RIVER IN JEFFERSON COUNTY, TENN.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 4174, and consider the same.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

S. 4174. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the Dandridge-Newport Road, in Jefferson County, Tenn.

The SPEAKER. Is there objection?

Mr. GARNER. Reserving the right to object, I want to put in the Record a statement concerning the omnibus bridge bill. That bill, if I remember it, passed the House and went to the Senate, and was held up in the Senate committee for quite a length of time. Finally it was reported to the Senate and passed with Senate amendments. As I recall there are some 20 authorizations in the bill for building bridges. They are being held up, and the opportunity to begin construction work in these

various authorizations is being held up. In one instance I know it has cost some money, and if it is not passed within 30 days it will cost one organization some \$5,000. I am wondering why it is that we can not have a report upon that from the conference committee. I know the gentleman is in charge of bridge bills, and we look to him to facilitate the passage of these bills.

Mr. DENISON. Mr. Speaker, I found objections raised by one of the Senators to one or two of the items in the bill. The Senate finally reported the bill and passed it with amendments. They struck out the name of the grantee in one or two of the bridge franchises and substituted some other parties. Since then the Senate has been so busily occupied by the consideration of the Parker nomination to the Supreme Court that I was unable to get a conference. The Senators have told me that as soon as that matter was disposed of they would go to conference on the bill and I am hoping to get a conference to-morrow or early next week.

Mr. GARNER. Then, the gentleman hopes to get a full conference report, so that the bill may be sent to the President.

Mr. DENISON. I shall do the best that I can.

Mr. GARNER. I do not desire to criticize the other body or any individual Member, but it seems strange to me, and I think to the membership of the House, that one man in another body can hold up 23 proposed authorizations that contribute to the commerce of the country. It is still a little more strange that in the consideration of a House bill they would strike out an authorization designed for A and substitute B. I do not think such a thing has been called to my attention in the last 10 years.

Mr. DENISON. The gentleman from Texas is correct. I do not know when it has ever been done before, but it has been done in this case, and it is very much to be regretted. We will try to work that out in conference. Our committee grants no monopolies in bridge franchises, and we would willingly grant an additional franchise to any other parties, if a Senator should file a bill for that purpose.

Mr. GARNER. I hope the gentleman succeeds at an early date.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Highway Department of the State of Tennessee, its successors and assigns, to construct, maintain, and operate a free highway bridge and approaches thereto across the French Broad River, at a point suitable to the interests of navigation, on the Dandridge-Newport Road, in Jefferson County, Tenn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS OHIO RIVER, CARROLLTON, KY.

Mr. DENISON. Mr. Speaker, I call up the bill (S. 4173) for commencing and completing the construction of a bridge across the Ohio River at or near Carrollton, Ky., a similar House bill being reported from the committee and on the calendar.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Ohio River at or near Carrollton, Ky., authorized to be built by the State highway commission, Commonwealth of Kentucky, by the act of Congress approved February 26, 1929, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote whereby the bill was passed was laid on the table.

A similar House bill was ordered to lie on the table.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 135. An act to provide for the payment of benefits received by the Palute Indian Reservation lands within the New-

lands irrigation project, Nev., and for other purposes; to the Committee on Irrigation and Reclamation.

S. 226. An act authorizing the issuing of certificates of arrival to persons born in the United States who are now aliens; to the Committee on Immigration and Naturalization.

S. 1072. An act for the relief of Gabriel Roth; to the Committee on Claims.

S. 1378. An act for the relief of Juan Anorbe, Charles C. J. Wirz, Rudolph Ponevacs, Frank Guelfi, Steadman Martin, Athanasios Metaxiotis, and Olaf Nelson; to the Committee on Claims.

S. 1571. An act for the relief of William K. Kennedy; to the Committee on Claims.

S. 1644. An act authorizing the county of Vanderburgh, Ind., to construct, maintain, and operate a toll bridge across the Ohio River at or near Evansville, Ind.; to the Committee on Interstate and Foreign Commerce.

S. 1683. An act for the relief of John Heffron; to the Committee on Naval Affairs.

S. 1721. An act directing the retirement of acting assistant surgeons of the United States Navy at the age of 64 years; to the Committee on Naval Affairs.

S. 1851. An act for the relief of S. Vaughan Furniture Co., Florence, S. C.; to the Committee on Claims.

S. 2187. An act for the relief of S. Dwight Hunt; to the Committee on Military Affairs.

S. 2567. An act granting travel pay and other allowances to certain soldiers of the Spanish-American War and the Philippine insurrection who were discharged in the Philippines; to the Committee on Military Affairs.

S. 2721. An act to provide for the advancement on the retired list of the Navy of Frederick L. Caudle; to the Committee on Naval Affairs.

S. 2774. An act for the relief of Nick Rizou Theodore; to the Committee on Claims.

S. 2811. An act for the relief of Oscar R. Hahnel; to the Committee on Claims.

S. 2892. An act for the relief of Helen F. Griffin and Ada W. Allen; to the Committee on Claims.

S. 2896. An act granting the consent of Congress to the State of Oregon and the Stock Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Stock Slough, Coos Bay, Coos County, Oreg.; to the Committee on Rivers and Harbors.

S. 2897. An act granting the consent of Congress to the State of Oregon and the Beaver Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Beaver Slough, Coquille River, Coos County, Oreg.; to the Committee on Rivers and Harbors.

S. 2898. An act granting the consent of Congress to the State of Oregon and the Larson Slough Drainage District to construct, maintain, and operate a dam and dike to prevent the flow of tidal waters into Larson Slough, Coos Bay, Coos County, Oreg.; to the Committee on Rivers and Harbors.

S. 3044. An act to amend section 39 of title 39 of the United States Code; to the Committee on Post Offices and Post Roads.

S. 3277. An act to provide against the withholding of pay when employees are removed for breach of contract to render faithful service; to the Committee on Expenditures in the Executive Departments.

S. 3298. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Evansville, Ind.; to the Committee on Interstate and Foreign Commerce.

S. 3407. An act for the relief of Judson Stokes; to the Committee on Claims.

S. 3466. An act to legalize the water pipe line constructed by the Searcy Water Co. under the Little Red River near the town of Searcy, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 3553. An act for the relief of R. A. Ogee, sr.; to the Committee on Claims.

S. 3555. An act authorizing the purchase, establishment, and maintenance of an experimental farm or orchard in Mobile County, State of Alabama, and authorizing an appropriation therefor; to the Committee on Agriculture.

S. 3868. An act granting the consent of Congress to the Lamar Lumber Co. to construct, maintain, and operate a railroad bridge across the West Pearl River at or near Talisheek, La.; to the Committee on Interstate and Foreign Commerce.

S. 3873. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo.; to the Committee on Interstate and Foreign Commerce.

S. 3950. An act authorizing the establishment of a migratory bird refuge in the Cheyenne Bottoms, Barton County, Kans.; to the Committee on Agriculture.

S. 3965. An act to authorize the Secretary of War to grant an easement to the Wabash Railway Co. over the St. Charles Rifle Range, St. Louis County, Mo.; to the Committee on Military Affairs.

S. 4140. An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Okla., and for other purposes; to the Committee on Indian Affairs.

S. 4157. An act to extend the times for commencing and completing a bridge across the Tennessee River at or near Chattanooga, Hamilton County, Tenn.; to the Committee on Interstate and Foreign Commerce.

S. 4227. An act to authorize the Board of Education of the District of Columbia to make certain provisions for the relief of congestion in the public schools of the District of Columbia; to the Committee on the District of Columbia.

S. 4269. An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary-line streams of Kentucky; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 645. An act for the relief of Lyma Van Winkle;

H. R. 1794. An act to authorize the payment of an indemnity to the owners of the British steamship *Kyleakin* for damages sustained as a result of a collision between that vessel and the U. S. S. *William O'Brien*.

H. R. 1954. An act for the relief of A. O. Gibbens;

H. R. 2902. An act to authorize the sale of the Government property acquired for a post-office site in Binghamton, N. Y.;

H. R. 3246. An act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio;

H. R. 3717. An act to add certain lands to the Fremont National Forest in the State of Oregon;

H. R. 6564. An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1931, and for other purposes;

H. R. 7069. An act for the relief of the heirs of Viktor Pettersson;

H. R. 7832. An act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails, and for other purposes;

H. R. 8299. An act authorizing the establishment of a national hydraulic laboratory in the Bureau of Standards of the Department of Commerce and the construction of a building therefor;

H. R. 8578. An act to sell the present post-office site and building at Dover, Del.;

H. R. 8918. An act authorizing conveyance to the city of Trenton, N. J., of title to a portion of the site of the present Federal building in that city;

H. R. 9324. An act to dedicate for street purposes a portion of the old post-office site at Wichita, Kans.;

H. R. 9325. An act to authorize the United States Veterans' Bureau to pave the road running north and south immediately east of and adjacent to Hospital No. 90, at Muskogee, Okla., and to authorize the use of \$4,950 of funds appropriated for hospital purposes, and for other purposes;

H. R. 9407. An act to amend the act of Congress approved May 29, 1928, authorizing the Secretary of the Treasury to accept title to certain real estate, subject to a reservation of mineral rights in favor of the Blackfeet Tribe of Indians;

H. R. 9437. An act to authorize a necessary increase in the White House police force;

H. R. 9758. An act to authorize the Commissioners of the District of Columbia to close certain portions of streets and alleys for public-school purposes; and

H. R. 9845. An act to authorize the transfer of Government-owned land at Dodge City, Kans., for public-building purposes.

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 165. Joint resolution authorizing the settlement of the case of United States against the Sinclair Crude Oil Purchasing Co., pending in the United States District Court in and for the District of Delaware.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

- H. R. 389. An act for the relief of Kenneth M. Orr;
- H. R. 707. An act to authorize an appropriation for construction at Fort McKinley, Portland, Me.;
- H. R. 973. An act to remove the age limit of persons who may be confined at the United States Industrial Reformatory at Chillicothe, Ohio;
- H. R. 1301. An act for the relief of Julius Victor Keller;
- H. R. 1444. An act for the relief of Marmaduke H. Floyd;
- H. R. 2161. An act to convey to the city of Waltham, Mass., certain Government land for street purposes;
- H. R. 3527. An act to authorize credit in the disbursing accounts of certain officers of the Army of the United States for the settlement of individual claims approved by the War Department;
- H. R. 4198. An act to authorize the exchange of certain lands adjoining the Catoosa Springs (Ga.) Target Range;
- H. R. 5283. An act to declare valid the title to certain Indian lands;
- H. R. 5726. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the city of Salem, Mass., and to the Salem Marine Society, of Salem, Mass., the silver-service set and bronze clock, respectively, which have been in use on the cruiser *Salem*;
- H. R. 6338. An act authorizing the erection of a sanitary, fireproof hospital at the National Home for Disabled Volunteer Soldiers, of Togus, Me.;
- H. R. 6645. An act authorizing the Secretary of the Navy, in his discretion to deliver to the president of the Lions Club, of Shelbyville, Tenn., a bell of any naval vessel that is now, or may be, in his custody; and to the president of the Rotary Club, of Shelbyville, Tenn., a steering wheel of any naval vessel that is now, or may be, in his custody;
- H. R. 7410. An act to establish a hospital for defective delinquents;
- H. R. 7395. An act to extend to Government postal cards the provision for defacing the stamps on Government stamped envelopes by mailers;
- H. R. 7413. An act to amend an act providing for the parole of United States prisoners, approved June 25, 1910, as amended;
- H. R. 8052. An act authorizing the heirs of Elijah D. Myers to purchase land in section 7, township 28 south, range 11 west, Willamette meridian, county of Coos, State of Oregon;
- H. R. 8368. An act providing for a study regarding the construction of a highway to connect the northwestern part of the United States with British Columbia, Yukon Territory, and Alaska in cooperation with the Dominion of Canada;
- H. R. 8650. An act to authorize the Postmaster General to charge for services rendered in disposing of undelivered mail in those cases where it is considered proper for the Postal Service to dispose of such mail by sale or to dispose of collect-on-delivery mail without collection of the collect-on-delivery charges or for a greater or less amount than stated when mailed;
- H. R. 8713. An act granting land in Wrangell, Alaska, to the town of Wrangell, Alaska;
- H. R. 8763. An act to authorize the Secretary of the Interior to investigate and report to Congress on the advisability and practicability of establishing a national park to be known as the Apostle Islands National Park, in the State of Wisconsin, and for other purposes;
- H. R. 8805. An act to authorize the acquisition for military purposes of land in the county of Montgomery, State of Alabama, for use as an addition to Maxwell Field;
- H. R. 8973. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of the Charleston Museum, of Charleston, S. C., the ship's bell, plaque, war record, and silver service of the cruiser *Charleston* that is now, or may be in his custody;
- H. R. 9235. An act to authorize the Public Health Service to provide medical service in the Federal prisons;
- H. R. 9434. An act to extend the times for commencing and completing the construction of a bridge across the Columbia River at or near Arlington, Oreg.;
- H. R. 10258. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Cannelton, Ind.;
- H. R. 10474. An act granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the White River at or near Sylamore, Ark.;

H. R. 10581. An act to provide for the addition of certain lands to the Yosemite National Park, Calif., and for other purposes;

H. R. 10674. An act authorizing payment of six months' death gratuity to beneficiaries of transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve who die while on active duty;

H. R. 11046. An act to legalize a bridge across the Hudson River at Stillwater, N. Y.;

H. J. Res. 188. Joint resolution authorizing the use of tribal funds belonging to the Yankton Sioux Tribe of Indians in South Dakota to pay expenses and compensation of the members of the tribal business committee for services in connection with their pipestone claim; and

H. J. Res. 244. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to be held October 4 to 11, 1930, inclusive.

ADJOURNMENT

Mr. FRENCH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 15 minutes p. m.), pursuant to the order heretofore made, the House adjourned until Monday, May 12, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, May 10, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON ELECTIONS NO. 2

(10 a. m.)

To consider the Hill-Palmisano contested-election case.
For Monday, May 12, 1930:

COMMITTEE ON THE CENSUS

(10.30 a. m.)

Authorizing the Director of the Census to collect and publish certain additional cotton statistics (S. 2322 and S. 2323).

COMMITTEE ON THE DISTRICT OF COLUMBIA—SUBCOMMITTEE ON THE JUDICIARY

(10.30 a. m.)

To license and regulate the business of making loans in sums of \$300 or less, secured or unsecured, prescribing the rate of interest and charge therefor and penalties for the violation thereof, and regulating assignments of wages and salaries when given as security for any such loans (H. R. 7628).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

457. A communication from the President of the United States, transmitting a supplemental estimate of appropriations pertaining to the Legislative Establishment, United States Senate, for the fiscal year 1930, amounting to \$30,000 (H. Doc. No. 391); to the Committee on Appropriations and ordered to be printed.

458. A communication from the President of the United States, transmitting a supplemental estimate of appropriations pertaining to the Legislative Establishment under the Architect of the Capitol for the fiscal year 1930, amounting to \$22,054.63 (H. Doc. No. 392); to the Committee on Appropriations and ordered to be printed.

459. A communication from the President of the United States, transmitting a supplemental estimate of appropriations for the Office of Public Buildings and Public Parks of the National Capital for the fiscal year 1931, amounting to \$58,247 (H. Doc. No. 393); to the Committee on Appropriations and ordered to be printed.

460. A communication from the President of the United States, transmitting a supplemental estimate of appropriations pertaining to the Legislative Establishment, House of Representatives, for the fiscal year 1930, amounting to \$96,234.12 (H. Doc. No. 394); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WILLIAMSON: Committee on Expenditures in the Executive Departments. H. R. 11978. A bill to authorize the appointment of employees in the executive branch of the govern-

ment and the District of Columbia; with amendment (Rept. No. 1411). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. S. 1268. An act authorizing the States of Illinois and Indiana to construct, maintain, and operate a free highway bridge across the Wabash River, at or near Vincennes, Ind.; with amendment (Rept. No. 1413). Referred to the House Calendar.

Mr. BECK: Committee on Interstate and Foreign Commerce. S. 3421. An act to authorize the Tidewater Toll Properties (Inc.), its legal representatives and assigns, to construct, maintain, and operate a bridge across the Choptank River at a point at or near Cambridge, Md.; without amendment (Rept. No. 1414). Referred to the House Calendar.

Mr. BECK: Committee on Interstate and Foreign Commerce. S. 3422. An act to authorize the Tidewater Toll Properties (Inc.), its legal representatives and assigns, to construct, maintain, and operate a bridge across the Patuxent River, south of Burch, Calvert County, Md.; without amendment (Rept. No. 1415). Referred to the House Calendar.

Mr. HUDDLESTON: Committee on Interstate and Foreign Commerce. S. 4182. An act granting the consent of Congress to the county of Georgetown, S. C., to construct, maintain, and operate a bridge across the Pee Dee River and a bridge across the Waccamaw River, both at or near Georgetown, S. C.; with amendment (Rept. No. 1416). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McLEOD: Committee on the District of Columbia. H. R. 1518. A bill for the relief of J. W. Anderson; without amendment (Rept. No. 1407). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 7534. A bill for the relief of the Brookhill Corporation; without amendment (Rept. No. 1408). Referred to the Committee of the Whole House.

Mr. SMITH of Idaho: Committee on Irrigation and Reclamation. H. R. 8103. A bill for the relief of the American Falls Realty & Water Works Co. (Ltd.), of Power County, Idaho; without amendment (Rept. No. 1409). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10542. A bill for the relief of John A. Arnold; with amendment (Rept. No. 1410). Referred to the Committee of the Whole House.

Mr. HOPKINS: Committee on War Claims. H. R. 9471. A bill for the relief of Florence M. Humphries; with amendment (Rept. No. 1412). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ARENTZ: A bill (H. R. 12282) to place an embargo on silver; to the Committee on Ways and Means.

By Mr. BRITTEN: A bill (H. R. 12283) to authorize the construction of certain naval vessels required under the London Naval Conference, and for other purposes; to the Committee on Naval Affairs.

By Mr. CROSSER: A bill (H. R. 12284) to provide for the construction of vessels for the Coast Guard for rescue and assistance work on Lake Erie; to the Committee on Interstate and Foreign Commerce.

By Mr. SPROUL of Illinois: A bill (H. R. 12285) to authorize the Postmaster General to purchase motor-truck parts from the truck manufacturer; to the Committee on the Post Office and Post Roads.

By Mr. THATCHER: A bill (H. R. 12286) to repeal the act entitled "An act authorizing the Secretary of the Interior to sell and patent certain lands in Louisiana and Mississippi," approved April 11, 1928; to the Committee on the Public Lands.

Also, a bill (H. R. 12287) authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary-line streams of Kentucky; to the Committee on Interstate and Foreign Commerce.

By Mr. LEAVITT: A bill (H. R. 12288) to amend the act entitled "An act to permit taxation of lands of homestead and desert-land entrymen under the reclamation act," approved April 21, 1928; to the Committee on Irrigation and Reclamation.

By Mr. REID of Illinois: Joint resolution (H. J. Res. 334) to amend the radio act of 1927 by providing for 3 Government

broadcasting frequencies, 1 for the Department of Agriculture, 1 for the Department of the Interior, and 1 for the Department of Labor; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BOYLAN: A bill (H. R. 12289) for the relief of Capt. Christian Damson; to the Committee on Claims.

By Mr. CRAIL: A bill (H. R. 12290) granting a pension to Charles H. Ingersoll; to the Committee on Pensions.

By Mr. DOMINICK: A bill (H. R. 12291) granting a pension to John E. Winn; to the Committee on Pensions.

Also, a bill (H. R. 12292) granting a pension to Will Ralph Johnson; to the Committee on Pensions.

By Mr. HANCOCK: A bill (H. R. 12293) granting an increase of pension to Lucy E. Bryant; to the Committee on Invalid Pensions.

By Mr. HESS: A bill (H. R. 12294) granting an increase of pension to Barbara Ann Felix; to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 12295) granting an increase of pension to Celina E. Hutton; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 12296) granting an increase of pension to Elizabeth A. Glisan; to the Committee on Invalid Pensions.

By Mr. LANKFORD of Georgia: A bill (H. R. 12297) granting a pension to Grover C. Fennell; to the Committee on Pensions.

By Mr. SLOAN: A bill (H. R. 12298) for the relief of George P. Sterling; to the Committee on Military Affairs.

By Mr. TABER: A bill (H. R. 12299) granting a pension to Etta A. Vinn Combes; to the Committee on Invalid Pensions.

By Mr. TINKHAM: A bill (H. R. 12300) for the relief of Edward S. Ryan; to the Committee on Military Affairs.

Also, a bill (H. R. 12301) for the relief of John S. Dodge; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7240. By Mr. GARBER of Oklahoma: Petition of National Retail Dry Goods Association, New York, transmitting proposed amendments to House bill 11852, and urging that they be adopted; to the Committee on Patents.

7241. Also, petition of National Alliance of Postal Employees, Pittsburgh, Pa.; to the Committee on the Post Office and Post Roads.

7242. Also, petition of city carriers of Stillwater, Okla., urging support of House bill 6603; to the Committee on the Post Office and Post Roads.

7243. By Mr. THOMPSON: Petition of citizens of Fulton County, Ohio, urging early favorable action on House bill 229, to grant an allowance on personally owned post-office equipment; to the Committee on the Post Office and Post Roads.

7244. By Mr. STONE: Petition signed by L. E. Gray, secretary Postal Clerks, and seven other clerks of Stillwater, Okla., providing for shorter hours for all postal employees; to the Committee on the Post Office and Post Roads.

SENATE

MONDAY, May 12, 1930

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

Almighty God, who through the mystery of instinct dost lead all living things along their way, grant that we may hear Thy voice, which calls us to be true and steadfast, and so—unafraid.

Take of Thine own spirit and lay it upon us—the spirit of fatherly care for all Thy children, the spirit of the Saviour's love for the erring and the lost, the spirit of the Comforter's tenderness for every sad and lonely soul.

Fill our cup each morning with the water of life, that we may give to him that is athirst; put into our hearts such living words from Thee that nothing we may say shall fall to the ground, returning to Thee void. Help us to make the welfare of all the supreme law of our land, that our commonwealth may rest secure upon the love of all its citizens, that the blessing of the Nation may fall upon our service and rise triumphant unto Thee. Through Jesus Christ our Lord. Amen.